

**LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES**

**BOARD MEETING**

**NOVEMBER 8, 1991**

**JIMMY JENKINS  
CHAIRMAN**

**BATON ROUGE, LOUISIANA**

The following constitute minutes of the Commission Meeting  
and are not a verbatim transcript of the proceedings.

Tapes of the meetings are kept at the  
Louisiana Department of Wildlife and Fisheries

2000 Quail Drive

Baton Rouge, Louisiana 70808

For more information call (504) 765-2806

**AGENDA**  
**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**  
**BATON ROUGE, LOUISIANA**  
**NOVEMBER 8 , 1991**

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MINUTES OF THE MEETING

OF

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

November 8, 1991

Chairman James H. Jenkins, Jr. presiding.

Tuesday, <sup>November</sup>~~October~~ 8, 1991

Houston Foret  
Bert Jones  
Norman McCall  
Warren Pol  
Jeff Schneider  
Pete Vujnovich

Acting Secretary A. Kell McInnis III was also present.

Chairman Jenkins called for a motion for approval of the October 8, 1991, Commission Minutes. A motion for approval was made by Mr. Foret and seconded by Mr. McCall. The motion passed unanimously.

Mr. Bennie Fontenot presented the Rule on Black Bass Regulations for Ratification to the Commission. This rule will amend the present rule on the black bass statewide regulations which will increase the statewide creel limit from eight to ten fish daily but will not affect the trophy lakes, quality lakes, Toledo Bend and Caddo Lake where the creel limit and size will remain as are presently.

Chairman Jenkins called for questions from the Commissioners and audience. There being none he called for a motion on the amended rule. Mr. Foret made a motion to adopt the rule. The motion was seconded by Mr. McCall and passed unanimously.

(The full text of the rule is made  
a part of the record)

RULE

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 1. Freshwater Sport and Commercial Fishing

## Section 149. Black Bass Regulations - Daily Take and Size Limits

The Louisiana Wildlife and Fisheries Commission hereby establishes a statewide daily take (creel limit) of 10 fish for black bass (Micropterus spp.). The possession limit shall be the same as the daily take on water and twice the daily take off water.

In addition, the Commission establishes special size and daily take regulations for black bass on the following waterbodies:

Concordia Lake (Concordia Parish) and False River (Pointe Coupee' Parish):

Size Limit: 15 inch - 19 inch slot

Daily Take: 8 fish - of which no more than two fish may exceed 19 inches maximum total length.\*

Possession Limit: On Water - Same as daily take  
Off Water - Twice the daily take

A 15 - 19 inch slot limit means that it is illegal to keep or possess a black bass whose maximum total length is between 15 inches and 19 inches, both measurements inclusive.

Lake Bartholomew (Morehouse and Ouachita Parishes), Black Bayou Lake (Bossier Parish), Caney Creek Lake (Jackson Parish), Chicot Lake (Evangeline Parish), Cross Lake (Caddo Parish), Lake Rodemacher (Rapides Parish) and Vernon Lake (Vernon Parish):

Size Limit: 14 - 17 inch slot

Daily Take: 8 fish - of which no more than 4 fish may exceed 17 inches maximum total length.

Possession Limit: On Water - Same as daily take  
Off Water - Twice the daily take

A 14 - 17 inch slot means that it is illegal to keep or possess a black bass whose maximum total length is between 14 inches and 17 inches, both measurements inclusive.

\* Maximum total length - The distance in a straight line from the tip of the snout to the most posterior point of the depressed caudal fin as measured with mouth closed on a flat surface.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325 (c), 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 14:364 (June

1988), L.R. Amended, L.R. 17:278 (March 1991), Repromulgated L.R. 17:488 (May 1991), Amended L.R. 17: (November 1991).

James H. Jenkins, Jr.  
Chairman

The Rule on Toledo Bend Reciprocal Agreement for Ratification was presented to the Commission by Mr. Bennie Fontenot. This amendment will remove the Sabine River below the dam at Toledo Bend from the present five daily take on black bass with a fourteen inch minimum and puts it the same as the rest of the waters in the state which is a ten daily creel with no size limits.

Chairman Jenkins called for questions from the Commissioners and comments from the audience. There being none he then called for a motion on the amended rule. Mr. Jones made a motion for adoption and Captain Vujnovich seconded the motion. Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

(The full text of the rule is made  
a part of the record)

#### RULE

#### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby amends the Joint Louisiana/Texas Toledo Bend and Caddo Lake Sportfishing Reciprocal Agreement that became effective April 1, 1991.

#### Title 76 WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 1. Freshwater Sport and Commercial Fishing

#### Section 110. Toledo Bend Reciprocal Agreement

The daily creel limit, (daily take), for black bass (Micropterus spp.) is set at eight fish and the minimum total length is set at 14 inches in Toledo Bend Reservoir and Caddo Lake.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325 (c), 326.3, 673.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission L.R. 14:548 (August 1988), Amended L.R. 17:278 (March 1991), Amended L.R. 17: (November 1991).

James H. Jenkins, Jr.  
Chairman

Continuing, Mr. Bennie Fontenot presented a Notice of Intent on Lake Bruin, Special Recurring Commercial Fishing Season. Mr. Fontenot informed the Commissioners that the present rule governing a special commercial fishing season by permit on Lake Bruin is being amended by addition of paragraphs D, E, F, and G in the new proposed rule. Said amendments clarify governing the issuance or denial of issuance of permits to applicants as they relate to reporting requirements and to certain wildlife and fisheries violations or convictions. This will give the Secretary of the department the authority to issue or not to issue a special permit for commercial fishing in Lake Bruin. There is presently a commercial fishing season in the lake that has worked very well. This is a winter season with about eighty thousand pounds of buffalo being harvested a year. However, there are some applicants who have a list of violations and have been causing problems pointed out Mr. Fontenot. Chairman Jenkins called for questions/comments from the Commissioners and audience. There being none Chairman Jenkins called for a motion on the NOI. Mr. Pol made a motion to accept the NOI. The motion was seconded by Mr. McCall. Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

(The full text of the notice is made  
a part of the record)

#### NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend and adopt the rule governing the special recurring commercial fishing season on Lake Bruin.

#### Title 76 Wildlife and Fisheries

#### Part VII. Fish and Other Aquatic Life

#### Chapter 1. Freshwater Sports and Commercial Fishing

#### Section 125. Lake Bruin

The Louisiana Wildlife and Fisheries Commission hereby establishes and permits a special recurring commercial fishing

season, allowing the use of certain nets and slat traps, in Lake Bruin, Tensas Parish, Louisiana. The season will commence each year at sunrise on November 1 and close at sunset on the last day of February the following year.

A. Commercial fishing with certain nets and slat traps will be allowed on Lake Bruin only during the above described special season and only by licensed commercial fishermen who must also obtain a Lake Bruin commercial fishing permit from the Louisiana Department of Wildlife and Fisheries. The permit will be issued at no cost on a seasonal basis and must be renewed for each season. The permittee must also file a report to the Department of Wildlife and Fisheries of his catch that is postmarked not later than 15 days after the close of that season. The use of nets in Lake Bruin will be limited to gill and trammel nets greater than or having at least a minimum mesh of 3 1/2" bar and 7" stretch.

B. Commercial fishing will be allowed only during daylight hours except that gear can remain set overnight but fish captured may be removed during daylight hours only.

C. Failure to comply with the terms of the special permit or of any Louisiana commercial fishing regulations shall result in immediate cancellation of the permit for the remainder of the current season.

D. Failure to submit a timely report for a particular year's commercial fishing season shall result in the denial of a permit for the next year. If a report is eventually received after the deadline period for a particular year, the applicant may get a permit after skipping a year, however, if no report is ever filed, no permit for any subsequent year will be considered.

E. Applicants with a citation(s) pending for three years or less, which is a Class II fish or game violation(s) or greater shall be denied a permit until such time as the applicant appears before department officials for the purpose of reviewing the citation(s) issued. The secretary, after reviewing the proceedings, may issue or deny the permit.

F. Permits shall not be issued to any applicant who within three years of the date of his/her application, has been convicted or plead guilty to a Class II fish or game violation or greater, as defined in the laws pertaining to wildlife and fisheries.

G. Applicants convicted of, or pleading guilty to two or more Class II fish or game violations or greater within five years of the application date shall not receive a permit.

AUTHORITY NOTE: Promulgated in accordance R.S 56:22, 56:326.3 and R.S. 56:402.



HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 13:502 (September 1987), Amended Wildlife and Fisheries Commission L.R. 18: ( 1992).

Written comments regarding these amendments may be submitted no later than January 10, 1992 and should be submitted to Bennie Fontenot, Administrator, Inland Fish Division, Box 98000, Baton Rouge, LA 70898-9000.

James H. Jenkins, Jr.  
Chairman

A Notice of Intent on Lake Providence, Closed Season on Gill Nets and Trammel Nets was presented to the Commission by Mr. Bennie Fontenot. This NOI will institute a fishery management plan for Lake Providence as developed by the Freshwater Fisheries staff through research on the lake. The East Carroll Parish Police Jury and the Lake Providence Commission are also requesting this proposal. The NOI will create a special gill and trammel net fishing season during the months of November 1st through February for a four month season that will allow commercial fishermen to take commercial species, primarily buffalo and freshwater drum, using 3 1/2" bar mesh and 7" mesh. There has been quite a few problems during the warmer months with recreational and commercial fishermen and this is another reason for establishing this special fishing season during the cooler months advised Mr. Fontenot. The water is also cooler during this time of year and the survival rate for fish that have to be released back into the water is much greater than during the warmer months when a lot of the fish die. Mr. Fontenot pointed out that presently the most important commercial species in the lake is catfish which can be commercially fished twelve months out of the year with slat traps and hoop nets.

Chairman Jenkins called for questions/comments from the Commission and audience.

Mr. Bobby Moore, Police Jury, District 9, East Carroll Parish, addressed the Commission. Mr. Moore stated that the police jury has not taken official action on this request and there will be a meeting on Wednesday, November 13, 1991. A telephone survey has been taken of the police jury and most of the members feel that the season should run from October 1st to April 1st, opened six months, closed six months.

Chairman Jenkins advised that they have a copy of a letter in their packet dated September 27, 1991, addressed to the Secretary and signed by Ms. Wilson, Secretary/Treasurer of the police jury which says that at a regular meeting on September 11th a large group of

interested citizens were in attendance to discuss commercial fishing in Lake Providence and after a lengthy discussion and presentation of a petition to the jury the East Carroll Parish Police Jury voted to request Louisiana Wildlife and Fisheries Commission to secure legislation and ratify recommendations presented by Mike Wood, LA Wildlife and Fisheries biologist, to improve sport fishing in Lake Providence with copies sent to Senator Cain, Representative Smith and Representative McDonald who also sent letters to the Commission asking that action be taken on this. Chairman Jenkins asked Mr. Moore if what he was saying is that there was no action taken on this issue. Mr. Moore explained that other action will be taken on November 13th; at the first meeting there were only a few commercial fishermen and lake home owners in attendance. Mr. Moore pointed out that Ms. Wilson, Secretary/Treasurer of the East Carroll Parish Policy Jury, had just walked in and asked her if she would like to comment on this issue.

Ms. Mary Edna Wilson, Secretary/Treasurer, East Carroll Parish Police Jury addressed the Commission. Ms. Wilson advised that the jury did take action in August to approve and accept the recommendations of Janice Little and Mike Wood with Wildlife and Fisheries for the closing dates (November 1st through February) recommended for Lake Providence. Since that time the jury has been asked by several groups to reconsider a six month closing and six month open season. This will be considered at the next meeting but there has not been any action at this time on this issue advised Ms. Wilson.

Chairman Jenkins asked if there were any questions of Ms. Wilson. Mr. Jones stated that as he understands this the jury has already taken action to approve the regulations that the Wildlife and Fisheries presented. Ms. Wilson answered yes, they did with a unanimous vote at that time.

Chairman Jenkins asked what was the pleasure of the Commission on the notice of intent. Mr. Foret asked if they could wait until next month when they had more information and not vote on this today. Mr. Fontenot explained that this is a notice of intent to get input and comments from the public. If this is passed today the comments will come in and be considered before the rule is ratified.

Mr. Jones made a motion to accept the notice of intent and it was seconded by Mr. Schneider. Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

(The full text of the notice is  
made a part of the record)

#### NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to prohibit the use of gill nets and trammel nets in Lake Providence except during recurring season.

Title 76  
Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 1. Freshwater Sports and Commercial Fishing

Section 163. Lake Providence, Gill Nets and Trammel Nets

A. Prohibits the use of gill nets and trammel nets in Lake Providence, East Carroll Parish, Lake Providence, Louisiana, except their use will be allowed for the legal harvest of commercial fish during a special recurring trammel and gill netting season to commence each year at sunrise on November 1 and close at sunset on the last day of February the following year.

B. The trammel and gill nets allowed during the special recurring season shall have a minimum mesh size of 3 1/2" bar and 7" stretched.

C. Said net may remain set overnight, but fish captured may be removed during daylight hours only.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22 and 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 18: (1992).

Written comments regarding this notice of intent may be submitted no later than January 10, 1992 and should be submitted to Bennie Fontenot, Administrator, Inland Fish Division, Box 98000, Baton Rouge, LA 70898-9000.

James H. Jenkins, Jr.  
Chairman

Dr. Jerry Clark and Dr. Robert H. Chabreck presented a Resolution/Notice of Intent to Amend the Fish and Wildlife Values to the Commission. Dr. Clark explained what the department was proposing to do and on what basis it was being done. Three years ago the statute was passed that allowed the Commission to institute

civil penalties. As part of that statute it said that it was basically at the Commission's discretion on an annual basis to review and update the civil penalties values. These values have now been in place for two years with no review and update and the department is proposing to update the civil penalties this year. Dr. Clark proceeded to take the Commission through the notice of intent pointing out the changes in the rule. The following changes are being proposed:

1. Updated all the values for the change in the consumer price index for the two years that have taken place since the rule was put in place.

2. Under Federally Listed Threatened and Endangered Species the first change was technical with the word "federally listed" being added. This was done because in the first rule there was no indication whether federally listed or state listed, etc. was being referred to. This will clarify what species are federally listed as threatened and endangered species.

3. Fish have been added to the Federally Listed Threatened and Endangered Species under Species of Concern with paddlefish, sturgeon and jewfish being added.

4. The black bear value has been revised to \$10,000. This will be the most that there is for any penalty. It was pointed out that if there were any questions about the black bear Dr. Chabreck could answer them.

5. There was a category called Non-commercial/Non-sport and was changed to All Fish Not Listed Elsewhere In This Rule. This is a technical change.

6. Updated the Sport Commercial and Commercial Species by using the most recent (1990) National Marine Fisheries Service value data for commercial species. Most of the prices went up, but some declined pointed out Dr. Clark and if the department is going into court and claim the value of the species it had better be the most recent true value.

Concluding, Dr. Clark pointed out again that all the values (ducks, geese, turkey, deer, threatened and endangered) have all been updated for the consumer price index and asked for questions.

Mr. Foret asked what the civil penalty was before on shrimp. Dr. Clark stated that he thinks it went down a little but does not have a copy of the current civil penalties. Mr. Foret asked what the civil penalty was, as of now, on the speckled trout and red fish and how it was determined. Dr. Clark explained it was by the length and no changes have been made in the way things are calculated.

Chairman Jenkins asked about the Marine Mammals category and what would it include. Dr. Clark stated manatee, dolphins, and whales would be the principal ones, these mammals are found in the Gulf. Chairman Jenkins asked about Non-Game Animals. Dr. Clark explained that this was all other animals not listed in the document.

Captain Vujnovich asked if the oysters were in the shell or out of the shell. Dr. Clark answered that it was per pound so it would be meat weight, out of the shell.

Mr. Jones asked Dr. Chabreck about the black bear and why the increase in value. Dr. Chabreck advised that under Item 14 of the agenda he is going to give more indepth update on the current status of the black bear and explained why the increase in value. There is a petition to list the black bear under the Fish and Wildlife Service Endangered Species Act as a threatened species. One of the reasons for this is that the penalty under the Federal law will increase the fine to \$10,000. The department has asked the USFWS not to list the bear federally. There is a group, the Black Bear Conservation Committee, that has been formed in Louisiana and neighboring states with the idea that the bear can be managed without the federal government taking it over so as an example of good faith the department proposes to increase the penalty which will equal the federal listing.

Mr. Jones stated that basically this is just a pro-active approach to managing the black bear without federal regulations. Dr. Chabreck commented that was correct.

Mr. McCall asked how many black bear were there in Louisiana. Dr. Chabreck answered that it is estimated that maybe 200-300 and added that there is a closed season on them now.

Mr. Pol asked if the department was proposing to put the black bear on the endangered species list. Dr. Chabreck advised that the Fish and Wildlife Service is asking for comments now on this and plan to make a decision as to whether or not list it on the federal list. The department is asking that the black bear not be listed on the endangered species list and leave it under state control.

Mr. Jones commented that this is a very good idea and thinks it will show that Louisiana is very active in managing its black bear and take steps to protect it.

Dr. Clark read the "Therefore Be It Resolved" portion of the resolution for the notice of intent on amending the rule on the fish and wildlife values.

Chairman Jenkins asked if there were any comments from the audience. There being none he called for a vote on the resolution/notice of intent. Mr. Schneider made a motion to accept

the resolution/notice of intent and was seconded by Mr. McCall. The motion passed unanimously.

(The full text of the resolution  
is made a part of the record)

RESOLUTION  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
Fish and Wildlife Values

WHEREAS, Louisiana Revised Statute 56:40.2 requires the Louisiana Wildlife and Fisheries Commission to determine values for injured or destroyed fish, wild birds, wild quadrupeds and other aquatic life, and

WHEREAS, the Commission adopted rules establishing guidelines for determination of these values in LAC 76:1.313, and these guidelines include costs that need to be periodically updated

THEREFORE, BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby give notice of its intent to amend rules and regulations establishing fish and wildlife values to include current information. The Notice of Intent attached to and made a part of this resolution is hereby approved.

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

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James H. Jenkins  
Chairman

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A. Kell McInnis III  
Acting Secretary

(The full text of the notice is  
made a part of the record)

**NOTICE OF INTENT**

**Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission**

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend and adopt the following monetary values for illegally taken, possessed, injured, or destroyed fish, wild birds, wild quadrupeds, and other wildlife and aquatic life.

**TITLE 76  
Wildlife and Fisheries**

**Part I. Wildlife and Fisheries Commission and Agencies  
Thereunder**

**Chapter 3. Special Powers and Duties**

**Subchapter C. Fish and Wildlife Values**

**S 315. Fish and Wildlife Values**

<b>GAME MAMMALS AND GAME BIRDS</b>	
Deer	\$524.54
Squirrels	\$ 9.75
Rabbits	\$ 16.40
Turkeys	\$802.50
Ducks	\$ 11.70
Geese	\$ 42.01
Coots	\$ 12.53
Gallinules	\$ 4.43
Rails	\$ 28.61
Snipe	\$ 22.42
Quail	\$ 17.37
Woodcock	\$ 29.98
Doves	\$ 9.78

<b>NON-GAME ANIMALS</b>	
Raptors (Birds)	\$ 55.25
Other Birds	\$ 11.05
Frogs	\$ 9.77/lb.
Turtles	\$ 5.91/lb.
Alligator (Skin)	\$ 35.00/ft.
Alligator (Meat)	\$ 2.21/lb.
Nutria	\$ 2.76
Mink	\$ 13.81
Fox	\$ 16.57
Muskrat	\$ 2.21
Raccoon	\$ 5.25
Bobcat	\$ 49.72
Marine Mammals	\$2,210.00
Other Mammals	\$ 11.05



<b>FEDERALLY LISTED THREATENED AND ENDANGERED SPECIES</b>	
Reptiles (Adult or Young)	\$2,762.50/animal
Reptiles (Eggs)	\$2,762.50/violation
Birds (Adult or Young)	\$2,762.50/animal
Birds (Eggs)	\$2,762.50/violation
Mammals	\$2,762.50/animal
Invertebrates	\$2,762.50/violation
Fish	\$2,762.50/animal

<b>SPECIES OF SPECIAL CONCERN</b>	
<b>Fish</b>	
Paddlefish	\$2,762.50/animal
Sturgeon	\$2,762.50/animal
Jewfish	\$2,762.50/animal
<b>Mammals</b>	
Black Bear	\$10,000/animal

**ALL FISH NOT LISTED ELSEWHERE IN THIS RULE**

	MARINE	FRESHWATER
LENGTH		
INCHES	VALUE	VALUE
1	\$0.35	\$0.19
2	\$0.64	\$0.24
3	\$0.98	\$0.32
4	\$1.33	\$0.48
5	\$1.62	\$0.63
6	\$1.90	\$0.78
7	\$2.24	\$0.91
8	\$2.65	\$1.11
9	\$3.01	\$1.56
10	\$3.32	\$1.88
11	\$4.09	\$2.20
12	\$5.18	\$2.83
13	\$6.32	\$3.47
OVER 13"	\$6.32/lb.	\$3.47/lb.

COMMERCIAL FISH SPECIES

SPECIES GROUP	VALUE/LB	SPECIES GROUP	VALUE/LB
AMBERJACK	\$0.81	OILFISH	\$0.75
BARRACUDA	\$0.31	OYSTER	\$3.60
BLUEFISH	\$0.30	POMPANO	\$3.44
BLUERUNNER	\$0.33	PORGY	\$0.68
BONITO, ATLANTIC	\$0.39	RAYS	\$0.44
BOWFIN	\$0.13	SAWFISH	\$0.21
BUFFALO	\$0.22	SCAMP	\$1.72
BUTTERFISH	\$0.28	SCULPIN	\$0.80
CARP	\$0.09	SHAD	\$0.09
CATFISH, SEA	\$0.26	SHARK, BLACKTIP	\$0.40
CATFISHES	\$0.60	SHARK, LONGFIN MAKO	\$0.68
COBIA	\$1.11	SHARK, OTHER	\$0.70
CRAB, BLUE	\$0.36	SHARK, SAND TIGER	\$0.13
CRAB, STONE	\$2.27	SHARK, SHORTFIN MAKO	\$0.72
CRAWFISH	\$0.52	SHARK, THRESHER	\$0.32
CREVALLE JACK	\$0.41	SHEEPSHEAD	\$0.22
DOLPHIN (FISH)	\$0.69	SHRIMP	\$1.30
DRIFTFISH	\$0.45	SNAPPER, BLACK	\$0.94
DRUM, BLACK	\$0.40	SNAPPER, BLACKFIN	\$1.01
DRUM, FRESHWATER	\$0.19	SNAPPER, GRAY	\$1.44
EEL, AMERICAN	\$0.65	SNAPPER, LANE	\$1.55
EEL, CONGER	\$0.64	SNAPPER, MAHOGANY	\$1.20
GAG	\$1.91	SNAPPER, OTHER	\$1.26
GAR	\$0.62	SNAPPER, QUEEN	\$1.03
GROUPE, BLACK	\$1.49	SNAPPER, SILK	\$1.28
GROUPE, MISTY	\$1.53	SNAPPER, VERMILLION	\$1.55
GROUPE, NASSAU	\$1.48	SNAPPER, YELLOWTAIL	\$1.48
GROUPE, OTHER	\$1.51	SPADEFISH	\$0.34
GROUPE, SNOWY	\$1.58	SPOT	\$0.30
GROUPE, WARSAW	\$1.27	SQUID	\$0.30
GROUPE, YELLOWEDGE	\$1.61	SWORDFISH	\$2.72
GROUPE, YELLOWFIN	\$1.62	TILEFISH	\$1.33
GRUNTS	\$0.40	TRIGGERFISH	\$0.50
HIND, RED	\$1.41	TRIPLETAIL	\$0.57
HIND, ROCK	\$1.31	TUNA, ALBACORE	\$0.49
HIND, SPECKLED	\$1.42	TUNA, BIGEYE	\$2.87
JEWFISH	\$1.76	TUNA, BLACKFIN	\$0.36
KINGFISH	\$0.35	TUNA, BLUEFIN	\$7.61
MACKEREL, SPANISH	\$0.30	TUNA, OTHER	\$1.75
MENHADEN	\$0.03	TUNA, SKIPJACK	\$0.76
MULLET	\$0.74	TUNA, YELLOWFIN	\$2.26
		WAHOO	\$0.82

## RECREATIONAL AND COMMERCIAL FISHES

LENGTH INCHES	RED DRUM	SPOTTED SEATROUT	RED SNAPPER	WHITE TROUT	FLOUNDER	CROAKER	KING MACKEREL	LARGEMOUTH BASS	BLUEGILL	CRAPPIE
1	\$0.42	\$0.42	\$0.42	\$0.42	\$0.42	\$0.42	\$0.42	\$0.35	\$0.27	\$0.35
2	\$0.74	\$0.74	\$0.74	\$0.74	\$0.74	\$0.74	\$0.74	\$0.80	\$0.66	\$0.58
3	\$1.13	\$1.13	\$1.13	\$1.13	\$1.13	\$1.13	\$1.13	\$1.04	\$0.84	\$0.58
4	\$1.54	\$1.54	\$1.54	\$1.54	\$1.54	\$1.54	\$1.54	\$1.17	\$0.81	\$0.60
5	\$1.88	\$1.88	\$1.88	\$1.88	\$1.88	\$1.88	\$1.88	\$1.54	\$0.94	\$0.64
6	\$2.20	\$2.20	\$2.20	\$2.20	\$2.20	\$2.20	\$2.20	\$1.78	\$1.37	\$1.37
7	\$3.53	\$2.93	\$2.88	\$2.25	\$3.20	\$2.44	\$9.09	\$2.89	\$4.44	\$1.94
8	\$4.85	\$3.66	\$3.66	\$2.31	\$4.20	\$2.69	\$17.78	\$3.99	\$10.06	\$2.51
9	\$6.18	\$4.38	\$4.23	\$2.36	\$6.21	\$2.93	\$25.56	\$5.09	\$25.63	\$3.08
10	\$7.51	\$5.11	\$4.91	\$2.41	\$8.21	\$3.17	\$33.35	\$6.20	\$28.48	\$3.65
11	\$8.83	\$5.84	\$5.59	\$2.47	\$7.21	\$3.52	\$41.14	\$7.30	\$31.33	\$4.95
12	\$10.16	\$6.57	\$6.27	\$2.52	\$8.21	\$3.87	\$48.93	\$8.40	\$34.18	\$5.70
13	\$11.48	\$7.30	\$6.94	\$2.57	\$9.21	\$4.22	\$56.72	\$9.51	\$37.03	\$6.07
14	\$12.81	\$8.28	\$7.62	\$3.23	\$10.21	\$4.59	\$64.50	\$10.61	\$39.57	\$12.27
15	\$14.14	\$11.80	\$9.12	\$4.05	\$11.05	\$4.97	\$72.29	\$14.36	\$42.72	\$16.82
16	\$15.46	\$14.99	\$10.89	\$5.07	\$11.91	\$5.35	\$80.08	\$19.44	\$45.57	\$22.50
17	\$19.32	\$19.03	\$12.95	\$6.34	\$12.80	\$5.75	\$87.67	\$26.32	\$48.42	\$30.46
18	\$24.13	\$24.14	\$15.38	\$7.92	\$13.71	\$6.16	\$95.65	\$35.64	\$51.27	\$32.25
19	\$30.14	\$30.63	\$18.22	\$9.89	\$14.66	\$6.58	\$103.44	\$48.25		\$34.04
20	\$37.65	\$38.66	\$21.54	\$12.33	\$15.64	\$7.02	\$111.23	\$65.32		\$35.63
21	\$47.04	\$49.30	\$25.43	\$15.37	\$16.66	\$7.47	\$119.02	\$88.43		\$37.63
22	\$58.78	\$62.54	\$29.96	\$19.17	\$17.71	\$7.94	\$126.80	\$92.64		\$39.42
23	\$73.40	\$65.59	\$35.30	\$23.89	\$18.80	\$8.42	\$134.59	\$96.86		\$41.21
24	\$91.70	\$68.68	\$41.52	\$25.11	\$19.94	\$8.92	\$142.38	\$101.07		\$43.00
25	\$114.55	\$71.80	\$48.80	\$26.35	\$21.12	\$9.43	\$150.17	\$105.28		
26	\$143.09	\$74.95	\$57.33	\$27.61	\$22.34	\$9.97	\$157.96	\$109.49		
27	\$148.80	\$78.13	\$67.33	\$28.90	\$23.62	\$10.52	\$165.74	\$113.70		
28	\$154.10	\$81.35	\$70.78	\$30.21	\$24.94		\$173.53	\$117.91		
29	\$159.61	\$84.61	\$74.35	\$31.56			\$181.32	\$122.12		
30	\$165.11	\$87.91	\$78.02	\$32.90			\$189.11	\$126.33		
31	\$170.61	\$91.25	\$81.80	\$34.33			\$196.89	\$130.54		
32	\$176.12	\$94.63	\$85.70				\$204.66	\$134.76		
33	\$181.62		\$89.72				\$212.47	\$138.97		
34	\$187.12		\$93.87				\$220.26	\$143.18		
35	\$192.63		\$98.14				\$228.05	\$147.39		
36	\$198.13		\$102.55				\$235.83	\$151.60		
37	\$203.63		\$107.09				\$243.62			
38	\$209.14		\$111.78				\$251.41			
39	\$214.64		\$116.60				\$259.20			
40	\$220.15		\$121.57				\$266.98			
41	\$225.65		\$126.70				\$274.77			
42	\$231.15		\$131.96				\$282.56			
43	\$236.66						\$290.35			
44	\$242.16						\$297.68			
45	\$247.66						\$305.04			
46	\$253.17						\$312.45			
47	\$258.67						\$319.90			
48	\$264.18						\$327.40			
49	\$269.68						\$334.93			
50	\$275.18						\$342.51			
51	\$280.69						\$350.13			
52	\$286.19						\$357.80			
53							\$365.52			
54							\$373.28			
55							\$381.10			
56							\$388.96			
57							\$396.87			
58							\$404.83			
59							\$412.85			
60							\$420.91			
61							\$429.03			
62							\$437.21			
63							\$445.44			
64							\$453.73			
65							\$462.07			
66							\$470.47			

\* SAND SEATRUT AND SILVER SEATRUT

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:40.2.

**HISTORICAL NOTE:** Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16:39 (January, 1990), Amended, Wildlife and Fisheries Commission, L.R. 18: ( 1992).

Written comments regarding these amendments may be submitted no later than January 10, 1992 and should be submitted to Karen Foote, Administrator, Fisheries Research Division, Box 98000, Baton Rouge, LA 70898-9000.

James H. Jenkins, Jr.  
Chairman

A Declaration of Emergency on Commercial Fishermen's Sales Card was presented to the Commission by Ms. Karen Foote. This declaration of emergency will institute the commercial fishermen's sales card by January 1, 1992, and will require its presentation when a commercial fisherman sells to a wholesale/retail dealer. This is not the entire program that has been outlined in the past but is a first step in implementing the program which the department feels it can afford at this point. Ms. Foote read the second paragraph of the emergency declaration.

Chairman Jenkins asked why this was an emergency. Ms. Foote advised that the Licensing Office starts issuing commercial fishermen's licenses November 15 to become effective January 1 and if this is not in place there is a question whether they could do the card issuance at this time.

Captain Vujnovich asked what would he have to do if he buys fifty sacks of oysters from a fishermen. Ms. Foote advised that if this goes into effect it will require the oysterman to show his commercial fishing license which will be all that is required. The larger program that has been presented to the Commission already is not being put into effect right now, the receipt system, because of lack of funds pointed out Ms. Foote. Captain Vujnovich asked if reports would still be required at the end of the month. Ms. Foote stated yes and instruction will be going out in December for 1992.

Chairman Jenkins asked if there were any more questions/comments from the Commissioners or audience.

One of the persons representing the press asked whose legal responsibility was it to ask for the card, the fishermen or the dealer. Ms. Foote advised that the way the emergency is stated it says that the sales card shall be presented by the fisherman to the dealer at the time of each sale. The gentleman asked if the dealer has to ask for the card or does the fishermen have to present it.

Ms. Foote commented that Major Candies says by law the dealer is responsible.

Chairman Jenkins called for any other questions/comments from the audience. There being none Chairman Jenkins called for a motion on the declaration of emergency on the card. Mr. Foret made a motion to adopt the declaration of emergency. The motion was seconded by Captain Vujnovich and passed unanimously.

(The full text of the emergency declarations are made a part of the record)

#### DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedures Act, and in order to establish rules and regulations mandated by R.S. 56:303.7 passed during the 1990 Legislative Session, and to best serve public welfare and interest the Louisiana Wildlife and Fisheries Commission hereby adopts the following rules and regulations effective January 1, 1992:

A "Commercial Fisherman's Sales Card" in lieu of the commercial fisherman's license will be provided to commercial fishermen and will be embossed with the commercial fisherman's name, license number, social security number, the expiration date of the card and the residency status of the fisherman. The "Commercial Fisherman's Sales Card" shall be presented by the commercial fisherman to the wholesale/retail dealer at the time of each sale for purposes of verifying that the seller possesses a current valid commercial fishing license and to allow the dealer to record the pertinent information contained thereon for his required records.

James H. Jenkins, Jr.  
Chairman

Mr. Dave Morrison presented to the Commission a Resolution/Notice of Intent on Mayhaw Berry Regulations on Wildlife Management Areas. This notice of intent pertains to the collection of mayhaws and is being presented in response to House Bill 976 of the 1991 Regular Legislative Session. This act directed the department to establish rules and regulations governing how mayhaws can be collected on department owned wildlife management areas. Rules and regulations have been developed by the department in accordance with H.B. 976 which will not stop people from harvesting mayhaws but protect the resources. This rule will provide for commercial harvesting provided that the local district offices are contacted and told what areas the commercial harvesters will be going into. Also, the harvest can be closed if deemed appropriate to protect it. Other

provisions will state how people can take mayhaws off the wildlife management areas. Mr. Morrison read the "Therefore Be It Resolved" portion of the resolution.

Chairman Jenkins asked that background information be given on this so that people would understand where it is coming from. Mr. Bateman addressed the Commission and advised that mayhaws have traditionally been a fruit that local people, particularly in the central part of the state and other specific areas, have collected for home use making jellies and jams. The department takes special pains to try and regulate commercial activities on the wma's so that it does not interfere with the recreational aspects. In particular response to this activity recently there has been a commercial venture started in the state to market mayhaw jelly retail and produce commercially. Mayhaw trees are distinctive in that they grow in areas in Louisiana where fire is excluded and in wet low areas where fires are excluded mayhaws can grow in the wild. The Saline WMA in the central part of the state which is flood prone and is a bottomland hardwood area has been the focal point of mayhaw collection in the past. This past year an incident occurred where the prospect of picking up mayhaw and selling them commercially to the jelly producer began to generate some interest. A group of grown men who were hired by the commercial jelly producer went into one of the wma's and start picking up large quantities of mayhaws with fish seines under flooded trees. The mayhaw is a traditional fruit that occurs in the spring and is a valuable wildlife resource aside from its benefits of being made into homemade jellies and jams. A variety of wildlife, birds, game and non-game depend on this resource as a source of food in the spring. This is an early blooming plant and the fruit occurs ripe anywhere from mid-April into mid-May. Concluding, Mr. Bateman advised that the department has no intention of trying to throttle the industry aspects in terms of making the jellies, but the notice of intent specifically states rules that would require the commercial interest to abide by.

Chairman Jenkins asked if the state received any compensation from the commercial interest taking these berries. Mr. Bateman answered, no. Mr. McCall asked how would it be decided who will do this if there are ten companies wanting mayhaws. Mr. Bateman commented if the department begins to see that competition is starting to develop it will have to be separated so that it does not become unreasonable. The department's main intent is to try and protect the resource, not do damage to the trees and establish rules that would allow the department to regulate the activity so that it is reasonable. It is Mr. Bateman's understanding that the commercial interest down the road will probably slack off at some point because the company that is going to do this has a private orchard that they are developing and at some point they are going to be independent of coming on public or private properties to collect these fruit.

Mr. McCall asked what effect would the commercial harvesting of these berries have on the wildlife and will they suffer from it. Mr. Bateman explained that the mayhaw produces fruit usually all at one time and when it gets ripe you have to get out there and get it. The animals will begin to take the fruit before it ripens on the tree whereas people wait until the fruit reaches the right stage to develop and falls off on the ground. Mr. Bateman commented that he did not think there is any danger of having animals starve and this particular plant is just one component of their spring food source.

Mr. Jones advised that there are people in north Louisiana that are growing mayhaws commercially and if it does become a viable industry mayhaw trees are easily maintained and produce a lot of fruit.

Chairman Jenkins called for comments from the audience. There being none he called for a motion on the notice of intent. Mr. Pol made a motion that they adopt the notice of intent on the mayhaw. The motion was seconded by Captain Vujnovich and passed unanimously.

(The full text of the resolution is  
made a part of the resolution)

#### RESOLUTION

##### LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES LOUISIANA WILDLIFE AND FISHERIES COMMISSION

THE FOLLOWING WAS ADOPTED ;BY THE LOUISIANA WILDLIFE AND FISHERIES  
COMMISSION AT ITS REGULAR MEETING HELD IN BATON ROUGE, NOVEMBER 8,  
1991.

WHEREAS, the Louisiana Legislature directed the Louisiana Department of Wildlife and Fisheries to develop rules and regulations governing the harvest of mayhaws on Department owned Wildlife Management Areas, and

WHEREAS, mayhaws are natural, renewable resources and regulations must be established for proper management, and

WHEREAS, the Department has addressed HB 976 of the 1991 Legislative Session and developed rules in accordance with the Act, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission on November 8, 1991, does hereby adopt a Notice of Intent that establishes guidelines for the collection of mayhaws, and



BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent and the final rules, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

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James H. Jenkins  
Chairman

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A. Kell McInnis III  
Acting Secretary

(The full text of the notice is made  
a part of the record)

#### NOTICE OF INTENT

#### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to promulgate rules governing the harvest and manner by which mayhaws shall be collected on department owned wildlife management areas.

#### Title 56 Wildlife and Fisheries

#### Part III State Game and Fish Preserves Sanctuaries

#### Chapter 1. Responsibilities, Duties and Regulation

#### Section 107. Collection of Mayhaw Fruit

All persons gathering mayhaw fruit on wildlife management area (WMA) for commercial or home consumption shall abide by the following rules and regulations:

- 1) Every one must abide by all rules and regulations in effect on the WMA.
- 2) Access routes and vehicle use must conform to rules and regulations established for the respective WMA.
- 3) Damage to mayhaw trees (trunk and branch) and surrounding vegetation is prohibited.

4) The use of mechanical harvesters, including shakers, is prohibited.

5) Mayhaw harvest is prohibited on wildlife management areas when turkey seasons are in progress.

6) Persons may only take five gallons per person per day for home consumption. Collecting in excess of five gallons per person per day is defined as a commercial activity. Anyone wishing to collect in commercial quantities must obtain a permit from the District Office and notify the department as to where collection will take place.

7) If the department deems that collections of mayhaw is detrimental to a specific area then the department may close that portion to all mayhaw collection.

These rules are being implemented to allow for harvesting of the fruit and still protect the resource for future use.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:115 and HB 976 of the 1991 Legislature.

**HISTORICAL NOTE:** Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 18: (1992).

Persons interested in commenting on the proposed rules may do so publicly at regularly scheduled Commission meeting December - February. Written comments may be submitted until 4:30 p.m., January 15, 1992 to Hugh Bateman, Administrator, Game Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000.

James H. Jenkins, Jr.  
Chairman

Ms. Wynnette Kees gave an Update on the Civil Penalties Restitution Program. Ms. Kees reported that 133 more payments have been collected on civil restitutions which amounted to about \$9,000 and brings the total revenue to almost \$28,000. Two hundred and fifty six final notices were sent out and they are working with the Computer Center to develop a new program to maintain these records. This new program should allow them to be processed faster. It is anticipated that this will be ready in January 1992. Several form letters were developed to take care of some of the legal issues that have come up and just about everything that there were questions about has been resolved with the Legal staff, Enforcement Division and Acting Secretary McInnis. Policies have been written and submitted to Acting Secretary McInnis for concurrence. Packets for the D.A.'s and judges have been prepared which includes copies of the legislation and the values. The department is asking the district attorneys and judges for their assistance in educating the

public and violators about this program because there are still a lot of complaints that people do not know about it. A group of older cases carrying the most amount of money have been given to Mr. Puckett to pursue advised Ms. Kees and asked Mr. Puckett to report on this.

Mr. Puckett stated that what they attempting to do is to find an attorney(s) to take the package on a contingency basis and do the collection. Several attorneys have been contacted, some of whom who have shown an interest in doing this program. What the geographical boundaries of their participation would be remains to be seen. What Mr. Puckett hopes to do is in the coming month and prior to the December meeting is to have a contract(s) in place with an attorney(s) who would begin collection of these amounts.

Mr. Jones asked if it has been figured out exactly how the outside help is going to be determined. Mr. Puckett advised that ideally you would want to have someone who already has a collection type practice. Mr. Pol asked Mr. Puckett if he was going to submit the list to the Commission for approval. Mr. Puckett answered absolutely and if the Commission has any notions of some attorneys that they might be interested in their particular geographical area the department would be interested. The department would like to get somebody who has an established practice in collections and get the best contingency. Mr. Jones asked if some kind of formal request line needed to be set up to get on this list. Mr. Puckett advised that it does not have to be formal. Mr. Schneider asked what kind of deal was Mr. Puckett proposing that they cut with these people. Mr. Puckett stated that he is proposing that they get the lowest contingency rate they can and still get a decent collection effort. Mr. Pol asked what the fees for collection usually run. Mr. Puckett explained that you can see fees for collection run in 25%, 40%. Mr. Jones stated you can see 10%. Mr. Puckett commented that he would love to see 10%.

Chairman Jenkins brought before the Commission the Amending of the By-Laws for the Commission Notice of Intent. Chairman Jenkins advised that he noticed that there were several things in the by-laws that needed to be attended to and had asked Mr. Puckett to take a look at them. Some changes would be the Royal Street address and month for election of Chairman and Vice-Chairman. Chairman Jenkins called on Mr. Puckett to explain what needed to be done.

Mr. Puckett commented that two of the more obvious changes are the Royal Street address being the principal office and the time of elections and advised that what is required to be done is forty eight hours prior to the meeting (December) at which the amendments will take place, each of the Commissioners is to receive a copy of the proposed amendments. Mr. Puckett requested that in the intervening time that the Commissioners review the by-laws for changes that need to be incorporated as proposed changes so that they can be taken up formally at the December meeting.

Chairman Jenkins asked Mr. Puckett to advise what the procedure was to change the by-laws. Mr. Puckett explained that they are complying with part of the notice today by having it on the agenda. The second part of the notice would be complied with when the forty eight hour provision is met which is sending the copies of the proposed changes to the Commissioners. It would then be taken up by a vote of the Commission at the December meeting. Chairman Jenkins asked what would the procedure be for the Commissioners to propose changes. Mr. Puckett suggested that they use his office as a clearing house for this and if any individual Commissioner has an idea for a proposed change send it to him and he would in turn mail it out to the other Commission members just as long as any changes get in prior to the forty eight hours before the December meeting. Chairman Jenkins asked the Commissioners if there were any objections to changing the permanent address to Baton Rouge. There being none, this item will be on the agenda and mailed out. Chairman Jenkins asked what would the case be if no action was taken on this at the December meeting, would they have to re-notice and go through the same process. Mr. Puckett advised that once the process has begun and as long as you re-notice it at that meeting you would have complied with the procedure. Chairman Jenkins asked if there were any other questions from the Commissioner or audience on this issue. There being none, Chairman Jenkins went on to the next agenda item.

Mr. McCall called for a review of the Alligator Tagging System. Mr. McCall advised that this item was put on the agenda because he has been contacted by a number of people in the alligator industry who have run into some problems this year, mainly with tags and the tagging system. Most of the problems have been tags that have broken off of the alligator, have been cut off accidentally, or have become detached for one reason or another. What one has to consider is that this industry has changed a lot in the past four or five years starting out with just a few thousand alligators being caught and is now to the excess of 25,000 each year. The larger the number the more chance for violation or for this to happen commented Mr. McCall. The alligator use to be caught by an individual, a father and son team, or two friends and brought to an individual's homes for skinning and process to prepare it for sale. In the past year or two a large percentage of these alligators are now being sold in the whole and are taken, sometimes hundreds of miles, to skinning sheds to be skinned by people other than those who caught the alligator. In doing so the alligators are piled four or five foot deep in refrigerated trucks or they are put in closed end trucks and iced down to protect the meat. The meat has become valuable and Mr. McCall has been told it is actually one third of the alligator's value. When the alligators are caught the hunters have to manhandle these alligators and the tags sometimes have a tendency of getting hung in the ribs or machinery of the boat and are knocked off or broken off. Also when the alligators are unloaded from the boat they have to be dragged out of the boat and here again some of the tags may be getting torn off or damaged. Mr. McCall advised that he has about ten or twelve

slides that he would like to show the Commission members and the other people attending the meeting which might enlighten them on the problem. After the slides are shown Mr. McCall advised that he would like to make a few more comments.

Mr. Guthrie Perry, Biologist, Fur and Refuge Division, showed and narrated the slides dealing with alligator harvest and the tagging system since the first experimental season in 1972. The season is conducted during the month of September and usually runs from thirty to thirty one days. Many types of tags have been tried over a period of year. The first tags used were copper which were attached by a special type of crimping pliers to attach the tag to the tail of the alligator. There was a lot of breakage with the original tags causing a lot of problems. The tags scarred the hides when they would go through the tanning process. In 1977 a plastic tag was used. In the early years these tags would break because of a very fragile part on the tag. In 1986 the department then went to a solid plastic tag with a bangle attached. All bangles and all tags are serially numbered and each hunter is assigned these tags. The department has to keep up with every tag from the time it is assigned to the hunter till it leaves the state. This is required by the federal government. These tags have to be applied immediately upon kill of the alligator. During the recent season, 1991, statewide there were twenty five tags issued to hunters in the Monroe area while in the Rockefeller area there were eight thousand six hundred tags issued. The Fur and Refuge Division is responsible for giving out about ninety five percent of the tags. Requirements for receiving tags are the following: 1) a hunter must document to the department that he owns the property or that he has permission to hunt a specific piece of property; 2) when this documentation is verified the hunter is assigned a certain number of tags depending on the carrying capacity or the number of alligators in his marsh; 3) each hunter is then given a set of the rules and regulations as adopted by the Louisiana Wildlife and Fisheries Commission along with a copy of the skinning instructions/flap specifications. Each year the department provides an alligator that is skinned properly to each district or area to show the hunters. The alligator skinning instructions are only provided a few days before the season.

Mr. Perry advised that the subject of tag retention is the issue that prompted him to come to the Commission meeting. The hunters are required to put the tag on the tail of the alligator immediately upon harvest and they have been told many times since 1972 if the hide or the tag comes unattached to tie it back on in some kind of way because it would be an illegal hide with no tag attached. In the early years the hunters had no sale for the meat so they would skin the alligators either out in the marshes or homes and would give the meat away. In the early 1980's the popularity of the meat became apparent and is big business now with about a third or sometimes fifty percent on the value of the alligators. Over half of these alligators are now sold whole carcass and will be stacked (iced down) several deep in a truck to

transport to the processing facility. Not only is there a market in the United States but there is a big market in Taiwan and other countries for the alligator meat. Very close records are kept on the alligator tags and the size of the alligators being harvested. When a hunter sells his alligators to a buyer the buyer fills out a list showing the size of the alligator and the tag number. This data is then put into the computers. When the dealers are ready to ship out of the state they will call the department to come and verify the hides for shipment. Crews will be sent from Rockefeller, New Iberia, and New Orleans and the hides will be checked to see if the skinning/flap is properly done and if there are problems with tied on tags the tags will be replaced. Fur and Refuge has had very good cooperation from Enforcement with clipping of the tags for many years until this year commented Mr. Perry and there seems to be a problem with the legality of tied-on tags. Mr. Perry explained how the yellow shipping tag worked. The tag has a number, the shipper's name, the number of hides, and on the back will tell where they are going. Once the dealer is issued the tag he gives the department a shipping manifest which the tag is attached to listing every hide number and length. When the wild harvested hides are verified by the department the little bangle that is on the tag is clipped off. This bangle has a number which is ran through the computer which takes it off of the hunter's name showing that the hide was taken. Every time there is a tag that is not properly attached to the hide it is replaced and the original tag number is listed with a substitute tag number on a substitute tag report. This data then comes into Rockefeller and is entered into the computer. The statistics are then worked up and analyzed. Mr. Perry advised that they ran this data for 1990 just to see what kind of a problem substitute tags were. Statewide there was twenty five thousand seven hundred and somewhat tags issued with only 1.4 percent replaced. The size of the alligators that substitute tags were replaced peaked out at about seven feet. The average size of the alligator harvest in Louisiana has maintained the seven foot average year after year pointed out Mr. Perry. In 1972 in Cameron Parish there were nineteen hundred and sixty one tags issued and substituted one hundred thirty which was 9.6 percent. In 1983 there were 2.6 percent substituted. In 1985 there was one percent substituted. In 1990 there was 1.4 percent substituted. In 1991 it looks like 1.6 percent are going to be substituted which includes the eighteen thousand four hundred alligators that Fur and Refuge Division has personally looked at and also includes the stubs or the alligators as best they know that have been confiscated that included tied-on tags pointed out Mr. Perry. Mr. Perry informed the Commission that several years ago there was some concern by Enforcement about some specific hunters that had a unusually large number of alligators that had substitute tags on them. Captain Joe Matassa asked if Fur and Refuge Division could work something out for them. Fur and Refuge met with the computer people to work out a program where anyone who had one alligator or more substituted his name would be listed. Another part of the program shows anybody that has had five percent

or more. Fur and Refuge has worked with Enforcement in trying to solve some of the problems.

Mr. Perry pointed out that since 1970 the alligator census has been conducted throughout the state and the alligator population is still enjoying a ten percent increase in nest intensity. Concluding the slide program Mr. Perry reiterated the number of substitute tags that have been placed on by year.

Mr. McCall asked Mr. Perry to go back and show the slide showing the tag on the alligator tail and commented that the way the tag is installed there is a loop and to him this would be easy for something to get hung up on, which would be part of the problem, and torn off the alligator. Mr. Perry agreed with Mr. McCall and explained that once an alligator is shot there are some reflex actions still going on. Major Candies asked if there was any way to stop the reflex. Mr. Perry stated that many of the hunters will cut the alligator behind the hind legs which stops a lot of the reflexes.

Chairman Jenkins asked if most of the tags that have to be reattached is because they pull through the meat on the alligator and the hide or the tag itself has broken and come loose. Mr. Perry advised that he did not know exactly what percent this was but knows that the ones he has seen that many of them are tied on and there are also some that had rubber bands on them.

Mr. Jones asked after the hide got to its home destination what would keep that tag from just being cut off and sent back and being used again. Mr. Perry stated that this was a very serious concern of the Enforcement Division and this is why they do not want to see the tags continued to be tied on.

Mr. Foret asked why is plastic used, why not use metal. Mr. Perry explained that the metal scarred the hides. The tag stays attached to the hides thorough the tanning procedure and the tanneries asked that the department get away from the metal way back in the 70's.

Mr. Schneider asked if there would be any way to brand a hide, or stencil a number in them that will never come out. Mr. Perry commented there might possibly be a way to brand them.

Mr. Tommy Prickett, Administrator, Fur and Refuge, addressed the Commission. Mr. Prickett commented that Mr. Perry has shown the Commissioners a lot of facts on the past history of tagging and exact detail of numbers of how many replacement tags each year. Boiling it all down, the resource is not being injured and continues to increase. Is four hundred tags or three hundred and fifty tags out of twenty five thousand eight hundred in 1990 or twenty five thousand seven hundred a problem that warrants making dramatic changes? These are things that need to be discussed both with the Enforcement Division and public to see what can be done to allay any concerns about the illegal harvest of alligators and

also make regulations reasonable that the agency can enforce and live with and that the public can live with concluded Mr. Prickett.

Mr. McCall asked if the two divisions, Fur and Refuge and Enforcement, have ever met to discuss the rules and regulations concerning the alligator program. Mr. Perry advised that they have met several times. One meeting was in 1989 before the season which did not specifically address the rules and regulations with the Enforcement Division. This meeting was held at the Baton Rouge office in the Louisiana Room with all the people from around the state who were responsible for the issuing of the tags. At the time a new computer program was being implemented and those attending were told how to assign the tags to the individual along with specific items on the agenda on how to handle substitute tags or tags that might be broken off. There were some Enforcement personnel attending the meeting. The next meeting was at Rockefeller after the 1989 meeting which was specifically for Enforcement with the big thrust of the meeting being the nuisance program. Mr. McCall asked if this was the meeting that took place on August 10, 1989. Mr. Perry answered no, August 10th was the one that was before the season at the Baton Rouge office and was the one that Enforcement Division was also in attendance. Mr. McCall pointed out that he had a copy of a memo dated August 10, 1989 where there was a meeting which was attended by about fifteen or twenty people including Colonel Vidrine, Charlie Clark, Dennis Miculek, Ted Joanen, Lisa Theriot, Dave Richard, etc. On the last page of the memo there is a item listed "Substitute Tags - Only assign when they are clipped". "If tag is broken hunter must wire or tie it to the skin". Mr. Perry advised that this was correct and the instructions are the same have been given since the early 70's. Mr. McCall asked if he was correct when he says from the time that the alligator program started seventeen/eighteen years ago until this year one department has instructed the hunters and trappers that if a tag broke off, fell off, pulled off, to tie that tag back on the alligator. Mr. Perry answered, yes we have. Mr. McCall asked if it was true to say that none of these tied-on tags have ever been considered illegal in the past. Mr. Perry answered, that as far as he knows the issue of tied on tags being illegal had not come up until this year. Mr. McCall asked Mr. Perry, as far as he knows, has there been any citations or alligators confiscated for tied-on tags in the past. Mr. Perry answered, he did not think so. Mr. McCall then questioned why it was being done now. Mr. Perry answered, that he cannot answer that. Mr. McCall asked if anybody could answer this.

Acting Secretary McInnis, at this point in the meeting, asked that the Commissioners give serious consideration to the fact that there are a number of pending cases involving this issue and it is totally inappropriate for discussion at this time. Mr. McCall asked Acting Secretary McInnis if his question was out of order. Acting Secretary McInnis answered, yes sir, in his opinion it is. Mr. Pol stated that he did not think it was. Acting Secretary McInnis commented that if the Commission is going to proceed with



this he will leave. Acting Sectary McInnis commented that he was telling them, and they may want to consult with Mr. Puckett, that he does not believe that this is an appropriate question at this time. Mr. Pol stated that Mr. McCall seems to think it is an appropriate question. Mr. Puckett addressed the Commission and advised that he has a great concern about the issues being discussed having a great bearing on some pending criminal and civil cases and he urged the Commission and department staff not to discuss these particular issues. Mr. Pol asked how were they going to resolve this if they don't discuss them. Mr. McCall stated that all he was asking was he would like to know why. For seventeen years one department of the Wildlife and Fisheries tells these trappers and hunters that they can tie a broken tag back on an alligator if it comes off. Now, this year in the middle of the season they start writing citations and confiscating alligators and he wants to know why pointed out Mr. McCall; is this an inappropriate question to ask at this time. Mr. Puckett stated that for the pendency of this litigation and others proceeding, it certainly well might be but thinks those issues at this point in time will be sorted out by a court. Mr. McCall advised that if Mr. Puckett says it is inappropriate he will withdraw the question. Mr. Puckett urged the Commission not to take these issues up at this time. Mr. McCall stated that this was all the questions he had right now, but there may be other people that may want to ask some questions.

Chairman Jenkins asked if anyone else on the Commission had any comments. There being none he called for comments from the audience.

Ms. Laurie Rolling, 319 Metairie Road, Metairie, LA 70005, Attorney, addressed the Commission. Ms. Rolling thanked the Commission for calling this issue to the public's attention and having it on the agenda. Mr. Rolling and her father, as attorneys, represent a number of individuals who have attempted to comply with the alligator tagging regulation. They have represented individuals from southern Louisiana from the Bayou Black area, Kraemer area, Choupique area and other various areas. The predominate source of income of these individuals is related to the harvesting of alligators and the related industries. As it was pointed out in this morning's meeting the current tagging system is in some respects unduly burdensome and creates civil and substantial economic losses not to mention criminal liability which was touched on this morning when things were about to get heated pointed out Ms. Rolling. Ms. Rolling commented that she thinks Mr. McCall hit on the problems they have with the tagging that involves broken tags and lost tags. When these alligators with their great weight get thrown around the tags come off. The laborers are not particularly concerned with whether the proprietor is accused of a wildlife violation. One of the areas that was touched on lightly but not mentioned as a problem was the flap specifications when the alligators are skinned and Ms. Rolling pointed out again that she touches on the quality of the labor the

industry is condemned to hire in some circumstances. The conflict between the Fur and Refuge Division and Enforcement Division is acknowledged and Ms. Rolling believes there is a lack of communication between the two divisions and asks the Commission as their governing body to facilitate communication between the Fur and Refuge Division and Enforcement Division. Ms. Rolling stated that she just wanted to point out from the industry's point of view the problems they are facing. They cannot get involved in the internal politics of Fur and Refuge and Enforcement and who is going to be the biggest kid on the block between the two divisions. There are also some over-riding economic concerns for the State of Louisiana and the international economic interplay between the alligator harvesting industry and other nations. This is no longer a southern Louisiana concern but in fact a concern from trading houses in Japan, Italy and France with respect to Louisiana Wildlife and Fisheries regulations. Ms. Rolling has received faxed communications from those trading houses and when they are in final form she advised that she will be happy to make them available. She pointed out one copy of the faxed communications she had with her today which compliments Mr. Ted Joanen and the Fur and Refuge Division. The industry is a very respectable industry and would hate to get marred in some controversies between two divisions which the industry is feeling right now. The industry would like this resolved. Ms. Rolling stated that in closing she is not asking for any specific action other than that the Commission give the industry their consideration and assistance, that they facilitate communication between the two divisions, that they insure that the regulations are practical and pragmatic without creating undue economic hardship and that the Enforcement Division is on the same line and page as the regulatory commission.

Mr. Michael Delesdernier, Attorney from New Orleans, addressed the Commission. Mr. Delesdernier advised that he represents a client (Pelts and Skins Export Limited) in the New Orleans area who has an alligator farm and a subsidiary company in Ville Platte that does business throughout Louisiana. Mr. Delesdernier stated that the companies decided to send their attorneys today to try and talk about these things calmly and quietly and work out a resolution to this problem. Mr. Delesdernier appreciates the fact that law suits have been filed against the Department of Wildlife and Fisheries as a result of certain actions taken by Enforcement Division and he has personal opinions as to what went on with regard to the Enforcement Division but these are not pertinent here today. The main focus for coming today is to try to avoid going through the court system to get justice when there is a conflict within the particular group in and of itself. Why should the courts decide Louisiana Department of Wildlife and Fisheries' policies. The industry is caught in the middle of the trick bag. The industry which was created through the efforts of the Rockefeller Refuge is a multi-million dollar industry in Louisiana stated Mr. Delesdernier. This year alligator skins were selling thirty to forty dollars a foot which was down from last year which was sixty to eighty dollars a foot. The industry has to deal with these

price fluctuations and the only thing they can count on Wildlife and Fisheries to do is to present consistent policy because it is the only thing that is consistent to the man out there hunting. Mr. Delesdernier's advised that his client had several hundred alligator confiscated by Enforcement on the basic tag issue and on the flap issue. The industry needs from the Commission a policy that they can work with so that when skins are bought from the farmers they meet the requirements as they have been interpreted. The industry is asking the Commission to come in and formulate a policy to try and correct some of the inaccuracies and inequities that occurred this year so that litigation can be avoided and the industry can continue to work with Wildlife and Fisheries as they have for the past ten years.

Chairman Jenkins stated that he would like to give his thoughts. First of all the Commission is not telling the courts to set the policies. The problem that is apparently being faced today is what may or may not be done in regard to pending litigation and is not a matter of setting policy. There is a system today that involves Enforcement whose job it is to write a violation on somebody who does not have tags properly attached to the alligator. Apparently for years there have been certain exceptions to the rule. All of a sudden it has come into focus. Chairman Jenkins commented that the resolution to the problem is to come up with a system that keeps this from happening. Some kind of method could be developed to identify the alligators where you don't have the problem of handling them. This is something that could be assigned to the staff to work on and come up with a recommendation.

Mr. McCall added that he would like to see the department's divisions that are involved in the alligator program sit down before the season starts next year, come up with a set of rules that all agree on and enforce those rules and if there are any violations lower the hammer on those that violate; but for all involved to be in agreement and complete agreement on the rules before the season starts and not change the rules in the middle of the alligator season. Mr. McCall asked Mr. David Richard, former employee of the department at Rockefeller who is now working for the Gray Estate, if he would like to say a few words.

Mr. Richard stated that for sixteen years he worked with the industry and populations and it has worked very well. The tags are supplied by the Fish and Wildlife Service and are not Louisiana's tags. These tags are used in Australia, New Guinea, Florida, Texas and this is a system that is used around the world, not just for Louisiana. This tag has a U.S. CITES printed on it that legalizes it for international trade. The replacement of tags has been a common practice and Mr. Richard has done it for many years. The basic philosophy problem that we may have here, is that we have tried to help the hunters and industries move forward in a new industry stated Mr. Richard. The things that went on this year may have been avoided if we would have been given some support in years past. It is an unfortunate thing that has happened and has given

a black eye to the industry because of the things that have happened in midstream as Mr. McCall has talked about. This is something that needs to be resolved and Mr. Richard hopes that the Commission would take an active role in resolving it.

Mr. Pol asked Chairman Jenkins who made the decision to start this after seventeen years. Chairman Jenkins suggested that the Commission go into Executive Session and get more information on this, then come back and do whatever they feel they should do. The Executive Session can take place right after lunch advised Chairman Jenkins.

Chairman Jenkins stated that they will continue this item after lunch but would like to do one thing before lunch break. Chairman Jenkins asked that the rules be waived so that the Minerals Committee report on the shell dredging contract could be brought before the Commission. Mr. McCall made a motion that the rules be waived to take up the Minerals Committee report. The motion was seconded by Mr. Schneider. The motion passed unanimously. Chairman Jenkins asked Mr. Schneider to make the report.

Mr. Jeff Schneider gave a report on the Minerals Committee Meeting. The committee met this morning at 9 a.m. and heard a request to extend the time for complying with the permit for dredging. Louisiana Dredging has run into a snag with the permitting process that is not of their own making and they have demonstrated to the Committee that they have diligently tried to comply with all of the permitting requirements. They have requested an extension and it was the vote of the committee that it be extended, with the permit application time for thirty days past the December 5th cutoff point and revisit the process at that time advised Mr. Schneider.

Chairman Jenkins asked Mr. Schneider if he would like to make this in a form of a motion to the Commission. Mr. Schneider stated that he makes that motion at this time. The motion was seconded by Captain Vujnovich. Chairman Jenkins called for questions/comments from the Commission and audience. There being none Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

Chairman Jenkins stated that the Commission will reconvene in Executive Session at 1:30 p.m. in the 4th floor conference room with the Commission meeting starting around 1:45 p.m. The meeting recessed for lunch.

Chairman Jenkins reconvened the October 8, 1991 Commission meeting and asked the Commission what their pleasure was on the Alligator Tagging system.

Mr. McCall stated that he would like to see the Commission get its department heads together and try to come up with a firm set of rules before the next alligator season and make sure Enforcement abides by those rules. As far as the past season Mr. McCall

advised that he could not comment on this as some of it is in pending law suits.

Chairman Jenkins asked Mr. McCall if he wanted to make this in the form of a motion.

Mr. McCall advised that he would make it in the form of a motion. Chairman Jenkins called for a second to the motion. The motion was seconded by Mr. Schneider and Chairman Jenkins called for discussion. There being no discussion Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

Acting Secretary McInnis commented that the department certainly realizes that there are errors in their regulations, not just alligator regulations, but from time to time it is discovered that department regulations are not as clear as they might be. Acting Secretary McInnis advised that he has worked with all staff and met with them during the end of September. It has been requested from staff by Acting Secretary McInnis that they submit information to him what that they think would be pertinent to possible modification of these existing rules. As the department progresses the Commissioners will be kept up-to-date. These modifications to the rules will then go before the Commission for consideration.

Dr. Robert H. Chabreck gave a report on the Black Bear Committee Meeting in Texas, which he attended. Dr. Chabreck reported that some of this information was discussed this morning under Item 7 on the agenda. He then continued to give an update on the current situation with the black bear. In March of 1987 the U.S. Fish and Wildlife Service received a petition to list the Louisiana black bear under the Endangered Species Act. In Louisiana the black bear was originally described as a separate sub-species, but because of the release of over 160 black bears from Minnesota back in the 1960's by the department as part of a restocking program it was thought the Minnesota bears would have bred with the Louisiana bears and that there was no longer a valid sub-species. This added some complications to the listing because it could not be considered a valid sub-species. There was quite a bit of research that went into this to try and determine whether the Louisiana black bear was a valid sub-species and the conclusion was that they were unable to determine. The sample size that they had to work with was small so it was inconclusive but neither could it be invalidatef that it was a sub-species. On June 21, 1990 the U.S. Fish and Wildlife Service published a proposed rule to list the black bear in Louisiana as a threatened species and they would take public comments for a year on this matter with a final determination this past June (1991). In the meantime there was a group formed called the Black Bear Conservation Committee to develop the management plan and to propose conservation measures for the black bear. This group consisted of the state and federal agencies in Louisiana, Texas, Mississippi, and Arkansas along with conservation organizations, landowners, and universities. This

group has made some big strides while the comment period was under way and even developed a Memorandum of Understanding which spelled out what each group was to do with this conservation program. The U.S. Fish and Wildlife Service did not make the determination this past June that they were supposed to make but instead they postponed it for another six months and will make a final determination on whether or not to list the black bear on December 31, 1991. There was a meeting last month in Nacogdoches, Texas with the U.S. Fish and Wildlife Service. Mr. Richard Smith, Assistant Director, out of Washington, D.C. attended and there were some long discussions with them. They will consider all the information, and the efforts of the Black Bear Conservation Committee will be given very serious consideration. This is the type of approach that they like to use, having local involvement rather than federal listing advised Dr. Chabreck. If things turn out the way the committee hopes, the black bear will be left to local jurisdiction for a number of years and will give the program a chance to work concluded Dr. Chabreck.

Chairman Jenkins asked if there were any questions of Dr. Chabreck. Acting Secretary McInnis asked Dr. Chabreck if he recalled what the closing date was for the comments. Dr. Chabreck advised that the closing date for comments would be November 20, 1991.

The Winner of the 1992 Louisiana Duck Stamp Competition was announced by Mr. Dave Morrison. Mr. Morrison announced that the competition was held Wednesday, November 6th at the Wildlife and Fisheries Building, Baton Rouge, LA in the Louisiana Room. There were fifty entries submitted and after three stages of judging the five member panel selected number fifty as the winning design. This was painted by Mr. Bruce Heard from Baton Rouge who has been painting professionally since 1980 and is an avid hunter. The department is very pleased with the selection and very hopeful that it will raise additional monies to add to the \$1.8 million that is currently in the Duck Stamp Fund. Mr. Morrison officially congratulated Mr. Heard and introduced him to everybody attending the meeting.

Mr. Heard stated that he was grateful for the judges' choice and thanked everyone. Mr. McCall asked him how long did it take him to do the painting. Mr. Heard advised that it took about two weeks. Mr. Jones asked Mr. Heard that as a local Louisiana artist if he was opposed to having artists outside the State of Louisiana competing in this contest. Mr. Heard stated that he was not. Mr. Jones asked Mr. Heard if he was to win this contest with nationwide artists wouldn't it be of much more value to him personally. Mr. Heard commented that he thinks it would. Mr. Jones advised that through studies and history they found out that prints have a much more added value if it is a national competition. Mr. Jones believes that the state could benefit more and the artist could benefit more if it was a national competition. Mr. Heard stated according to who won it, you could have a unknown artist win a national competition just as easily as a big name so another option

would be to go to a commission type print. Mr. Jones thanked Mr. Heard and stated that he appreciated the nice painting.

Mr. Morrison thanked Mr. Heard for coming by and pointed out the other finalists. Second place was won by Ron Hooper from Shreveport; third place was won by Randy McGovern who currently lives in Georgia. This year the legislation changed and it now reads as "domiciled in or native of Louisiana" which give a little bit more opportunity to get some national artists involved in this particularly if they are former natives of Louisiana pointed out Mr. Morrison. Fourth place was won by Debbie Chassion from Lockport.

A Habitat Conservation Area Description was given by Mr. Johnnie Tarver. Mr. Tarver stated that if the Commission recalls that last time they met there was a discussion about habitat conservation areas, refuge areas and wildlife management areas. Mr. Tarver was instructed to come back and address the Commission briefly on this which he is doing today. Mr. Tarver informed the Commission that a definition for a habitat conservation area is any area designated by the Commission to be managed for the purpose of restoring, conserving and perpetuating all natural habitats and species indigenous to the area in their natural balance. The primary objective is the conservation of native biotic diversity through perpetual maintenance of natural plant communities and associated species. Other objectives would be to conserve rare, threatened and unique species and their habitats; to provide recreational opportunities that are compatible with the primary objective; and to recreate as nearly as possible natural conditions in the area. The basic management philosophy is that the conservation of the native biological diversity is accomplished through wise management. Natural forces will be re-established where practicable such as fire. These were very important to the maintenance of systems in the past. For public benefits they will provide areas for baseline scientific research; recreational and aesthetic enjoyment which will be here for many generations. Compatible uses of areas as envisioned will be hunting, fishing, trapping, outdoor education, recreational, research, nature study, hiking, etc. Concluding, Mr. Tarver advised that this brings the Commission up-to-date on the habitat conservation area and asked if there were any questions. Chairman Jenkins thanked Mr. Tarver and asked if there were any questions/comments from the Commission or audience. There being none Chairman Jenkins went on to the next item on the agenda.

The Monthly Law Enforcement Report was given by Colonel Winton Vidrine. Colonel Vidrine reported the following citations for the month of October 1991.

Region I - Minden - 117 cases.

Region II - Monroe - 52 cases.

Region III - Alexandria - 93 cases.

Region IV - Ferriday - 59 cases.

Region V - Lake Charles - 214 cases.

Region VI - Opelousas - 101 cases.

Region VII - Baton Rouge - 161 cases.

Region VIII - New Orleans - 446 cases.

Region IX - Thibodaux - 278 cases.

The Oyster Strike Force had a total of 75 cases and the offshore boats, Riptide and Delta Tide, had a total of 31 cases. There was a grand total of 1,617 cases for the month of October.

Captain Vujnovich commented on the Oyster Strike Force and the twenty four cases of taking undersized oysters on natural reefs. Captain Vujnovich pointed out that there is a three inch law for natural reefs but on the leases there is no undersize law. People are fishing state seed grounds for undersized oysters and putting their tag number and lease number on them. Catching these fishermen would require constant observation. Captain Vujnovich would like to see the law changed for next year and make it completely across the board, on private leases also, with a three inch or two and a half inch size. Colonel Vidrine agreed with Captain Vujnovich and added that from a law enforcement standpoint it would make it a lot easier on them to enforce the oyster regulations. Captain Vujnovich advised that there are many people in the oyster industry who are willing to back up something like this which will give them a good start.

Chairman Jenkins asked Colonel Vidrine about the 959 sacks of oysters and what is being done with them. Colonel Vidrine advised that they did confiscate 959 sacks of oysters and the oysters are all put back on the reefs. Captain Vujnovich recommended that the oysters should have been put on the bank, people in the industry be called and put these oysters on bids. Captain Vujnovich advised that he would have gladly given four or five dollars a sack and would have put them on his own lease. Colonel Vidrine pointed out that they put a lot of man hours putting these oysters back. Mr. McCall asked if they picked a spot where they put them back in. Colonel Vidrine stated that they were put back in state reefs. Chairman Jenkins commented that if we could do what Captain Vujnovich is suggesting the department would save a lot of money and actually make money. Major Candies advised that the oysters can be returned at the violator's expense. Captain Vujnovich asked if they had ever charged anybody for expenses. Major Candies answered, we tried to.

Acting Secretary A. Kell McInnis III gave his Secretary's Report to the Commissioners.



Acting Secretary McInnis gave an update on the disposition of the D.A.'s report. The sample that was submitted to the Commission last month has been refined and a new column added on for the dispositions that have not been filed. The dispositions from the D.A.'s will be put in the computer at the region level. Everything is up-to-date as far as the new cases are concerned and we are now working on getting in the volumes of the dispositions received back. There should be a report that will be in good format by next month. There will be a meeting in Baton Rouge next Tuesday to bring the various enforcement staff people in to work on this program.

Acting Secretary McInnis asked Mr. Bateman to give a report on the Catahoula Lake dedication and waterfowl report.

Mr. Bateman reported that the formal dedication of Catahoula Lake took place on October 26-27, 1991. The Fish and Wildlife Service worked with the department in having the lake nominated as a wetland of international importance through an international treaty that was signed by seventy five nations fifteen years ago. This gives Catahoula Lake the status of being recognized worldwide for its contributions to migratory birds. It is a natural wetland area and is extremely important economically and recreationally to the citizens of Louisiana and migratory bird resources in the central part of the state. The diploma was presented by the Fish and Wildlife Service at the Catahoula Lake Folklife Festival that has been occurring for a great many years in Alexandria. Mr. Bateman pointed out that there were photographs, along with the diploma, on display in the back of the room that show what the festival is about. On behalf of the department Acting Secretary McInnis received the diploma. There was a bit of concern by some local citizens that because of this action or recognition that there might be some changes in terms of whether people could use the lake like they have traditionally for cattle grazing, gathering hay, commercial fishing purposes, hunting, fishing, etc. This particular recognition has no bearing on changing any of this but will, in fact, add some leverage in strength to the state's ability to keep it the way it is, keep it managed properly and benefiting migratory bird resources. Right now there are probably in excess of 200,000 birds on the lake.

The waterfowl situation in the state is about as good as one could hope for. Because of the early cold weather a lot of migratory birds have come into the state and Mr. Bateman believes that there is an above average number of birds for this time of year. Areas along the coast that have huge bird concentrations are Lacassine Refuge, Rockefeller Refuge, Atchafalaya River Delta, and Amoco property north of White Lake. The latest cold spell has pushed spectacular numbers of snow geese into the state over the last few days. The rice country now has got a lot of water and the birds have actually shifted from the coastal area up into the rice fields. The survey biologist will do their first aerial survey of

the coast next week and should be in a position to help the law enforcement people. Mr. Bateman advised that from what he knows and has seen that the state is in good shape to experience a good successful waterfowl season on the 16th than it has been in a long time.

Mr. Jones stated that there is more available water in north Louisiana than there has been in years past. Mr. Bateman agreed and refreshed the Commission on what happened last year because of the hot and dry weather. Mr. Bateman further related that several major deer seasons opened this last weekend. There were eight wildlife management areas opened for the special early youth hunts. The weather was cool, had a great turnout of kids that did very well on the hunt; success ratio ran down into the one to ten, one to twelve range. There was a good effort with these hunts and there were no major problems or accidents. Area 2 gun season opened this past weekend and Mr. Bateman has heard it was a very successful opening weekend. Ten of the wildlife management areas were opened for the first time this year for gun hunting on that weekend and the records indicate that there has been the best hunting success on those early areas than there has been for many, many years. One area, outside of Ruston, went over three hundred the opening weekend which is something that has not been seen in several years. The weather has played an important part in how all of the wildlife react stated Mr. Bateman.

Acting Secretary McInnis reported that in conjunction with this the special strike force went to Allen Parish to work with the personnel at the West Bay WMA. They checked over 370 people, there were six cases initiated from untagged deer meat and about 50 cases of not abiding by rules and regulations. This shows that when you have the personnel to send to a place to concentrate on something and with the cooperations between the two groups that a good job can be done.

This year the department banded 1,175 wood ducks prior to the season. This is sixty percent more than was banded last year. The Fish and Wildlife Service banded another 550 which put the total over 1,700 which is remarkable when the quota was only 1,200. The abundance of the wood ducks is picking up.

The lifetime license is on schedule and should be available right after the first of the year. A few minor modifications have been made in the program based on experiences that other states have had so that Louisiana can have a successful program. The department is trying to make sure that the non-residents don't unduly take advantage of the program and also that it is something that is beneficial not only to the department but something that can be marketed well to the constituents.

Acting Secretary McInnis along with several department personnel just returned from the Southeastern Association of Fish and Wildlife Agencies conference which was held at White Sulphur

Springs, West Virginia. This conference was not quite as well attended as some have been in the past because of problems with one being forest fires in the area. Next year the conference will be in Texas and hopefully attendance will be better. The conference is an opportunity for the state agencies to get together and share ideas, common problems and common solutions to those problems. Mr. Bruce Davidson, from the department's Inland Fisheries Section, presented a paper at the conference and Ms. Janice Little, fisheries biologist for the department, was honored as one of the outstanding fisheries biologists in the country announced Acting Secretary McInnis.

Comments are being received on the notice of intent for the spotted seatrout on a regular basis. These comments are being compiled and coordinated for the Commissioners and will be submitted to the Commission for their review prior to final ratification. Chairman Jenkins asked if the department had received any landings on speckled trout. Ms. Foote stated that they are starting to come in.

Acting Secretary McInnis was asked to serve on a committee that deals with the waterbottoms problem. Mr. Don Puckett will be working with Acting Secretary McInnis on this. This is a situation where the Supreme Court of the United States made a ruling in the Phillips case, Mississippi, involving the flow of the tidal action and the effect upon the titles to lands affected thereby in the State of Mississippi. As Louisiana has so many wetlands, it is of serious concern to state, landowners and to the fishermen of the state who access these waters. There have been two meetings and the conferees are in the process of going through all the legal niceties that make up the body of law on waterbottoms. Reviewing these are persons from the law school, practical land attorneys, state agencies, etc. and a preliminary draft will be submitted to the Law Institute for their consideration. Hopefully, this will become the basis for some legislation that will clear up questions created by the Phillips decision in the coming year.

A survey of information was sent to the District Attorneys to get back information from them on who had compatibility to work with on a computer basis. Thirty have come back in with twelve still left. This should be completed shortly.

The Habitat and Conservation Division has been busy with their permit activities. They are also working on comments for the new wetlands manual. The Barataria-Terrebonne Workshop was held at Nicholls State and the department was represented by Dr. Chabreck. They are also working on scenic rivers situations and trying to draft legislation to get financial support for this section. There was a Reptile and Amphibian Task Force meeting and they will be working on some potential legislation for next year. There was a meeting of the Nuisance Animal Control Panel. In the Alexandria area there was a meeting on the Watchable Wildlife Proposal which involved the Fish and Wildlife Service, Department of Agriculture,

Forest Service, Culture, Recreation and Tourism with Parks and Department of Wildlife and Fisheries. There is no funding source for this at the time but is something that the department needs to keep their hand in.

An LSU student has been assigned from the School of Landscape Design to work with the department staff on a projected nature trail on Dawson Creek which is located alongside of the building. Chairman Jenkins asked if the lease had ever been signed. Mr. Puckett advised that it is in the works right now. LSU did not have a property description in the document.

Another round of hearings were held on the Class 1 violations. The October hearings have resulted in a ten thousand dollar a month increase over what was being received before. These series of hearings did not include Title 34 which will be added in.

Acting Secretary McInnis showed a new possession tag for game. One side is for deer and turkey and the other side is for waterfowl. The department worked with Ducks Unlimited to produce this tag. These tags are designed with the intent that if they are filled out completely hunters should not have any problem with the tagging requirements established either by state law or federal law concluded Acting Secretary McInnis.

Chairman Jenkins asked Acting Secretary McInnis about the Speckled Trout Task Force. Acting Secretary McInnis stated that Ms. Foote had presented the preliminary information on the card and it was on the agenda for the Budget Committee for the month of November and it was decided that it would be pulled from the agenda. The department has been in touch with the committee and will provide them with whatever information they request so that they have a complete hearing at the next hearing. There will be difficulties if there is no funding for this program.

The Date for the February 1992 Commission Meeting was set. The February Commission meeting was set for Thursday, February 6, 1992, at 10 a.m. in Baton Rouge, Louisiana.

Chairman Jenkins called for Public Comments and Comments from the Commission.

Mr. Foret advised that the Environmental Group of America will be at December's Commission meeting to make their presentation and would like to be put on the agenda.

Chairman Jenkins called for a motion to adjourn the November 8, 1991 Commission meeting. Mr. McCall made the motion. The motion was seconded by Mr. Schneider and passed unanimously.

*A. Kell McInnis III*

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A. Kell McInnis III  
Acting Secretary

AKM:sb

**DRAFT**

**Not in Final Form**

MINUTES OF THE MEETING

OF

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

November 8, 1991

Chairman James H. Jenkins, Jr. presiding.

Tuesday, October 8, 1991

Houston Foret  
Bert Jones  
Norman McCall  
Warren Pol  
Jeff Schneider  
Pete Vujnovich

Acting Secretary A. Kell McInnis III was also present.

Chairman Jenkins called for a motion for approval of the October 8, 1991, **Commission Minutes**. A motion for approval was made by Mr. Foret and seconded by Mr. McCall. The motion passed unanimously.

Mr. Bennie Fontenot presented the **Rule on Black Bass Regulations for Ratification** to the Commission. This rule will amend the present rule on the black bass statewide regulations which will increase the statewide creel limit from eight to ten fish daily but will not affect the trophy lakes, quality lakes, Toledo Bend and Caddo Lake where the creel limit and size will remain as are presently.

Chairman Jenkins called for questions from the Commissioners and audience. There being none he called for a motion on the amended rule. Mr. Foret made a motion to adopt the rule. The motion was seconded by Mr. McCall and passed unanimously.

(The full text of the rule is made  
a part of the record)

RULE

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 1. Freshwater Sport and Commercial Fishing

## Section 149. Black Bass Regulations - Daily Take and Size Limits

The Louisiana Wildlife and Fisheries Commission hereby establishes a statewide daily take (creel limit) of 10 fish for black bass (Micropterus spp.). The possession limit shall be the same as the daily take on water and twice the daily take off water.

In addition, the Commission establishes special size and daily take regulations for black bass on the following waterbodies:

Concordia Lake (Concordia Parish) and False River (Pointe Coupee' Parish):

Size Limit: 15 inch - 19 inch slot

Daily Take: 8 fish - of which no more than two fish may exceed 19 inches maximum total length.\*

Possession Limit: On Water - Same as daily take  
Off Water - Twice the daily take

A 15 - 19 inch slot limit means that it is illegal to keep or possess a black bass whose maximum total length is between 15 inches and 19 inches, both measurements inclusive.

Lake Bartholomew (Morehouse and Ouachita Parishes), Black Bayou Lake (Bossier Parish), Caney Creek Lake (Jackson Parish), Chicot Lake (Evangeline Parish), Cross Lake (Caddo Parish), Lake Rodemacher (Rapides Parish) and Vernon Lake (Vernon Parish):

Size Limit: 14 - 17 inch slot

Daily Take: 8 fish - of which no more than 4 fish may exceed 17 inches maximum total length.

Possession Limit: On Water - Same as daily take  
Off Water - Twice the daily take

A 14 - 17 inch slot means that it is illegal to keep or possess a black bass whose maximum total length is between 14 inches and 17 inches, both measurements inclusive.

\* Maximum total length - The distance in a straight line from the tip of the snout to the most posterior point of the depressed caudal fin as measured with mouth closed on a flat surface.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325 (c), 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 14:364 (June

1988), L.R. Amended, L.R. 17:278 (March 1991), Repromulgated L.R. 17:488 (May 1991), Amended L.R. 17: (November 1991).

James H. Jenkins, Jr.  
Chairman

The Rule on Toledo Bend Reciprocal Agreement for Ratification was presented to the Commission by Mr. Bennie Fontenot. This amendment will remove the Sabine River below the dam at Toledo Bend from the present five daily take on black bass with a fourteen inch minimum and puts it the same as the rest of the waters in the state which is a ten daily creel with no size limits.

Chairman Jenkins called for questions from the Commissioners and comments from the audience. There being none he then called for a motion on the amended rule. Mr. Jones made a motion for adoption and Captain Vujnovich seconded the motion. Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

(The full text of the rule is made  
a part of the record)

#### RULE

##### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby amends the Joint Louisiana/Texas Toledo Bend and Caddo Lake Sportfishing Reciprocal Agreement that became effective April 1, 1991.

#### Title 76 WILDLIFE AND FISHERIES

##### Part VII. Fish and Other Aquatic Life

##### Chapter 1. Freshwater Sport and Commercial Fishing

##### Section 110. Toledo Bend Reciprocal Agreement

The daily creel limit, (daily take), for black bass (Micropterus spp.) is set at eight fish and the minimum total length is set at 14 inches in Toledo Bend Reservoir and Caddo Lake.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325 (c), 326.3, 673.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission L.R. 14:548 (August 1988), Amended L.R. 17:278 (March 1991), Amended L.R. 17: (November 1991).



James H. Jenkins, Jr.  
Chairman

Continuing, Mr. Bennie Fontenot presented a **Notice of Intent on Lake Bruin, Special Recurring Commercial Fishing Season**. Mr. Fontenot informed the Commissioners that the present rule governing a special commercial fishing season by permit on Lake Bruin is being amended by addition of paragraphs D, E, F, and G in the new proposed rule. Said amendments clarify governing the issuance or denial of issuance of permits to applicants as they relate to reporting requirements and to certain wildlife and fisheries violations or convictions. This will give the Secretary of the department the authority to issue or not to issue a special permit for commercial fishing in Lake Bruin. There is presently a commercial fishing season in the lake that has worked very well. This is a winter season with about eighty thousand pounds of buffalo being harvested a year. However, there are some applicants who have a list of violations and have been causing problems pointed out Mr. Fontenot. Chairman Jenkins called for questions/comments from the Commissioners and audience. There being none Chairman Jenkins called for a motion on the NOI. Mr. Pol made a motion to accept the NOI. The motion was seconded by Mr. McCall. Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

(The full text of the notice is made  
a part of the record)

#### NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend and adopt the rule governing the special recurring commercial fishing season on Lake Bruin.

Title 76  
Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 1. Freshwater Sports and Commercial Fishing

Section 125. Lake Bruin

The Louisiana Wildlife and Fisheries Commission hereby establishes and permits a special recurring commercial fishing

season, allowing the use of certain nets and slat traps, in Lake Bruin, Tensas Parish, Louisiana. The season will commence each year at sunrise on November 1 and close at sunset on the last day of February the following year.

A. Commercial fishing with certain nets and slat traps will be allowed on Lake Bruin only during the above described special season and only by licensed commercial fishermen who must also obtain a Lake Bruin commercial fishing permit from the Louisiana Department of Wildlife and Fisheries. The permit will be issued at no cost on a seasonal basis and must be renewed for each season. The permittee must also file a report to the Department of Wildlife and Fisheries of his catch that is postmarked not later than 15 days after the close of that season. The use of nets in Lake Bruin will be limited to gill and trammel nets greater than or having at least a minimum mesh of 3 1/2" bar and 7" stretch.

B. Commercial fishing will be allowed only during daylight hours except that gear can remain set overnight but fish captured may be removed during daylight hours only.

C. Failure to comply with the terms of the special permit or of any Louisiana commercial fishing regulations shall result in immediate cancellation of the permit for the remainder of the current season.

D. Failure to submit a timely report for a particular year's commercial fishing season shall result in the denial of a permit for the next year. If a report is eventually received after the deadline period for a particular year, the applicant may get a permit after skipping a year, however, if no report is ever filed, no permit for any subsequent year will be considered.

E. Applicants with a citation(s) pending for three years or less, which is a Class II fish or game violation(s) or greater shall be denied a permit until such time as the applicant appears before department officials for the purpose of reviewing the citation(s) issued. The secretary, after reviewing the proceedings, may issue or deny the permit.

F. Permits shall not be issued to any applicant who within three years of the date of his/her application, has been convicted or plead guilty to a Class II fish or game violation or greater, as defined in the laws pertaining to wildlife and fisheries.

G. Applicants convicted of, or pleading guilty to two or more Class II fish or game violations or greater within five years of the application date shall not receive a permit.

AUTHORITY NOTE: Promulgated in accordance R.S 56:22, 56:326.3 and R.S. 56:402.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 13:502 (September 1987), Amended Wildlife and Fisheries Commission L.R. 18: ( 1992).

Written comments regarding these amendments may be submitted no later than January 10, 1992 and should be submitted to Bennie Fontenot, Administrator, Inland Fish Division, Box 98000, Baton Rouge, LA 70898-9000.

James H. Jenkins, Jr.  
Chairman

**A Notice of Intent on Lake Providence, Closed Season on Gill Nets and Trammel Nets** was presented to the Commission by Mr. Bennie Fontenot. This NOI will institute a fishery management plan for Lake Providence as developed by the Freshwater Fisheries staff through research on the lake. The East Carroll Parish Police Jury and the Lake Providence Commission are also requesting this proposal. The NOI will create a special gill and trammel net fishing season during the months of November 1st through February for a four month season that will allow commercial fishermen to take commercial species, primarily buffalo and freshwater drum, using 3 1/2" bar mesh and 7" mesh. There has been quite a few problems during the warmer months with recreational and commercial fishermen and this is another reason for establishing this special fishing season during the cooler months advised Mr. Fontenot. The water is also cooler during this time of year and the survival rate for fish that have to be released back into the water is much greater than during the warmer months when a lot of the fish die. Mr. Fontenot pointed out that presently the most important commercial species in the lake is catfish which can be commercially fished twelve months out of the year with slat traps and hoop nets.

Chairman Jenkins called for questions/comments from the Commission and audience.

Mr. Bobby Moore, Police Jury, District 9, East Carroll Parish, addressed the Commission. Mr. Moore stated that the police jury has not taken official action on this request and there will be a meeting on Wednesday, November 13, 1991. A telephone survey has been taken of the police jury and most of the members feel that the season should run from October 1st to April 1st, opened six months, closed six months.

Chairman Jenkins advised that they have a copy of a letter in their packet dated September 27, 1991, addressed to the Secretary and signed by Ms. Wilson, Secretary/Treasurer of the police jury which says that at a regular meeting on September 11th a large group of

interested citizens were in attendance to discuss commercial fishing in Lake Providence and after a lengthy discussion and presentation of a petition to the jury the East Carroll Parish Police Jury voted to request Louisiana Wildlife and Fisheries Commission to secure legislation and ratify recommendations presented by Mike Wood, LA Wildlife and Fisheries biologist, to improve sport fishing in Lake Providence with copies sent to Senator Cain, Representative Smith and Representative McDonald who also sent letters to the Commission asking that action be taken on this. Chairman Jenkins asked Mr. Moore if what he was saying is that there was no action taken on this issue. Mr. Moore explained that other action will be taken on November 13th; at the first meeting there were only a few commercial fishermen and lake home owners in attendance. Mr. Moore pointed out that Ms. Wilson, Secretary/Treasurer of the East Carroll Parish Policy Jury, had just walked in and asked her if she would like to comment on this issue.

Ms. Mary Edna Wilson, Secretary/Treasurer, East Carroll Parish Police Jury addressed the Commission. Ms. Wilson advised that the jury did take action in August to approve and accept the recommendations of Janice Little and Mike Wood with Wildlife and Fisheries for the closing dates (November 1st through February) recommended for Lake Providence. Since that time the jury has been asked by several groups to reconsider a six month closing and six month open season. This will be considered at the next meeting but there has not been any action at this time on this issue advised Ms. Wilson.

Chairman Jenkins asked if there were any questions of Ms. Wilson. Mr. Jones stated that as he understands this the jury has already taken action to approve the regulations that the Wildlife and Fisheries presented. Ms. Wilson answered yes, they did with a unanimous vote at that time.

Chairman Jenkins asked what was the pleasure of the Commission on the notice of intent. Mr. Foret asked if they could wait until next month when they had more information and not vote on this today. Mr. Fontenot explained that this is a notice of intent to get input and comments from the public. If this is passed today the comments will come in and be considered before the rule is ratified.

Mr. Jones made a motion to accept the notice of intent and it was seconded by Mr. Schneider. Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

(The full text of the notice is  
made a part of the record)

#### NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to prohibit the use of gill nets and trammel nets in Lake Providence except during recurring season.

Title 76  
Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 1. Freshwater Sports and Commercial Fishing

Section 163. Lake Providence, Gill Nets and Trammel Nets

A. Prohibits the use of gill nets and trammel nets in Lake Providence, East Carroll Parish, Lake Providence, Louisiana, except their use will be allowed for the legal harvest of commercial fish during a special recurring trammel and gill netting season to commence each year at sunrise on November 1 and close at sunset on the last day of February the following year.

B. The trammel and gill nets allowed during the special recurring season shall have a minimum mesh size of 3 1/2" bar and 7" stretched.

C. Said net may remain set overnight, but fish captured may be removed during daylight hours only.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22 and 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 18: (1992).

Written comments regarding this notice of intent may be submitted no later than January 10, 1992 and should be submitted to Bennie Fontenot, Administrator, Inland Fish Division, Box 98000, Baton Rouge, LA 70898-9000.

James H. Jenkins, Jr.  
Chairman

Dr. Jerry Clark and Dr. Robert H. Chabreck presented a **Resolution/Notice of Intent to Amend the Fish and Wildlife Values** to the Commission. Dr. Clark explained what the department was proposing to do and on what basis it was being done. Three years ago the statute was passed that allowed the Commission to institute

civil penalties. As part of that statute it said that it was basically at the Commission's discretion on an annual basis to review and update the civil penalties values. These values have now been in place for two years with no review and update and the department is proposing to update the civil penalties this year. Dr. Clark proceeded to take the Commission through the notice of intent pointing out the changes in the rule. The following changes are being proposed:

1. Updated all the values for the change in the consumer price index for the two years that have taken place since the rule was put in place.

2. Under Federally Listed Threatened and Endangered Species the first change was technical with the word "federally listed" being added. This was done because in the first rule there was no indication whether federally listed or state listed, etc. was being referred to. This will clarify what species are federally listed as threatened and endangered species.

3. Fish have been added to the Federally Listed Threatened and Endangered Species under Species of Concern with paddlefish, sturgeon and jewfish being added.

4. The black bear value has been revised to \$10,000. This will be the most that there is for any penalty. It was pointed out that if there were any questions about the black bear Dr. Chabreck could answer them.

5. There was a category called Non-commercial/Non-sport and was changed to All Fish Not Listed Elsewhere In This Rule. This is a technical change.

6. Updated the Sport Commercial and Commercial Species by using the most recent (1990) National Marine Fisheries Service value data for commercial species. Most of the prices went up, but some declined pointed out Dr. Clark and if the department is going into court and claim the value of the species it had better be the most recent true value.

Concluding, Dr. Clark pointed out again that all the values (ducks, geese, turkey, deer, threatened and endangered) have all been updated for the consumer price index and asked for questions.

Mr. Foret asked what the civil penalty was before on shrimp. Dr. Clark stated that he thinks it went down a little but does not have a copy of the current civil penalties. Mr. Foret asked what the civil penalty was, as of now, on the speckled trout and red fish and how it was determined. Dr. Clark explained it was by the length and no changes have been made in the way things are calculated.

*principal*  
Chairman Jenkins asked about the Marine Mammals category and what would it include. Dr. Clark stated manatee, dolphins, and whales would be the ~~principle~~ ones, these mammals are found in the Gulf. Chairman Jenkins asked about Non-Game Animals. Dr. Clark explained that this was all other animals not listed in the document.

Captain Vujnovich asked if the oysters were in the shell or out of the shell. Dr. Clark answered that it was per pound so it would be meat weight, out of the shell.

Mr. Jones asked Dr. Chabreck about the black bear and why the increase in value. Dr. Chabreck advised that under Item 14 of the agenda he is going to give more indepth update on the current status of the black bear and explained why the increase in value. There is a petition to list the black bear under the Fish and Wildlife Service Endangered Species Act as a threatened species. One of the reasons for this is that the penalty under the Federal law will increase the fine to \$10,000. The department has asked the USFWS not to list the bear federally. There is a group, the Black Bear Conservation Committee, that has been formed in Louisiana and neighboring states with the idea that the bear can be managed without the federal government taking it over so as an example of good faith the department proposes to increase the penalty which will equal the federal listing.

Mr. Jones stated that basically this is just a pro-active approach to managing the black bear without federal regulations. Dr. Chabreck commented that was correct.

Mr. McCall asked how many black bear were there in Louisiana. Dr. Chabreck answered that it is estimated that maybe 200-300 and added that there is a closed season on them now.

Mr. Pol asked if the department was proposing to put the black bear on the endangered species list. Dr. Chabreck advised that the Fish and Wildlife Service is asking for comments now on this and plan to make a decision as to whether or not list it on the federal list. The department is asking that the black bear not be listed on the endangered species list and leave it under state control.

Mr. Jones commented that this is a very good idea and thinks it will show that Louisiana is very active in managing its black bear and take steps to protect it.

Dr. Clark read the "Therefore Be It Resolved" portion of the resolution for the notice of intent on amending the rule on the fish and wildlife values.

Chairman Jenkins asked if there were any comments from the audience. There being none he called for a vote on the resolution/notice of intent. Mr. Schneider made a motion to accept

the resolution/notice of intent and was seconded by Mr. McCall. The motion passed unanimously.

(The full text of the resolution  
is made a part of the record)

RESOLUTION  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
Fish and Wildlife Values

WHEREAS, Louisiana Revised Statute 56:40.2 requires the Louisiana Wildlife and Fisheries Commission to determine values for injured or destroyed fish, wild birds, wild quadrupeds and other aquatic life, and

WHEREAS, the Commission adopted rules establishing guidelines for determination of these values in LAC 76:1.313, and these guidelines include costs that need to be periodically updated

THEREFORE, BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby give notice of its intent to amend rules and regulations establishing fish and wildlife values to include current information. The Notice of Intent attached to and made a part of this resolution is hereby approved.

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

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James H. Jenkins  
Chairman

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A. Kell McInnis III  
Acting Secretary



(The full text of the notice is  
made a part of the record)

NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend and adopt the following monetary values for illegally taken, possessed, injured, or destroyed fish, wild birds, wild quadrupeds, and other wildlife and aquatic life.

TITLE 76  
Wildlife and Fisheries

Part I. Wildlife and Fisheries Commission and Agencies  
Thereunder

Chapter 3. Special Powers and Duties

Subchapter C. Fish and Wildlife Values

S 315. Fish and Wildlife Values



Down

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Bob

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AUTHORITY NOTE: Promulgated in accordance with R.S. 56:40.2.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16:39 (January, 1990), Amended, Wildlife and Fisheries Commission, L.R. 18: ( 1992).

Written comments regarding these amendments may be submitted no later than January 10, 1992 and should be submitted to Karen Foote, Administrator, Fisheries Research Division, Box 98000, Baton Rouge, LA 70898-9000.

James H. Jenkins, Jr.  
Chairman

*sells*  
A Declaration of Emergency on Commercial Fishermen's Sales Card was presented to the Commission by Ms. Karen Foote. This declaration of emergency will institute the commercial fishermen's sales card by January 1, 1992, and will require its presentation when a commercial fisherman ~~sells~~ to a wholesale/retail dealer. This is not the entire program that has been outlined in the past but is a first step in implementing the program which the department feels it can afford at this point. Ms. Foote read the second paragraph of the emergency declaration.

Chairman Jenkins asked why this was an emergency. Ms. Foote advised that the Licensing Office starts issuing commercial fishermen's licenses November 15 to become effective January 1 and if this is not in place there is a question whether they could do the card issuance at this time.

Captain Vujnovich asked what would he have to do if he buys fifty sacks of oysters from a fishermen. Ms. Foote advised that if this goes into effect it will require the oysterman to show his commercial fishing license which will be all that is required. The larger program that has been presented to the Commission already is not being put into effect right now, the receipt system, because of lack of funds pointed out Ms. Foote. Captain Vujnovich asked if reports would still be required at the end of the month. Ms. Foote stated yes and instruction will be going out in December for 1992.

Chairman Jenkins asked if there were any more questions/comments from the Commissioners or audience.

One of the persons representing the press asked whose legal responsibility was it to ask for the card, the fishermen or the dealer. Ms. Foote advised that the way the emergency is stated it says that the sales card shall be presented by the fisherman to the dealer at the time of each sale. The gentleman asked if the dealer has to ask for the card or does the fishermen have to present it.

Ms. Foote commented that Major Candies says by law the dealer is responsible.

Chairman Jenkins called for any other questions/comments from the audience. There being none Chairman Jenkins called for a motion on the declaration of emergency on the card. Mr. Foret made a motion to adopt the declaration of emergency. The motion was seconded by Captain Vujnovich and passed unanimously.

(The full text of the emergency  
declarations are made a part of the  
record)

#### DECLARATION OF EMERGENCY

##### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedures Act, and in order to establish rules and regulations mandated by R.S. 56:303.7 passed during the 1990 Legislative Session, and to best serve public welfare and interest the Louisiana Wildlife and Fisheries Commission hereby adopts the following rules and regulations effective January 1, 1992:

A "Commercial Fisherman's Sales Card" in lieu of the commercial fisherman's license will be provided to commercial fishermen and will be embossed with the commercial fisherman's name, license number, social security number, the expiration date of the card and the residency status of the fisherman. The "Commercial Fisherman's Sales Card" shall be presented by the commercial fisherman to the wholesale/retail dealer at the time of each sale for purposes of verifying that the seller possesses a current valid commercial fishing license and to allow the dealer to record the pertinent information contained thereon for his required records.

James H. Jenkins, Jr.  
Chairman

Mr. Dave Morrison presented to the Commission a **Resolution/Notice of Intent on Mayhaw Berry Regulations on Wildlife Management Areas**. This notice of intent pertains to the collection of mayhaws and is being presented in response to House Bill 976 of the 1991 Regular Legislative Session. This act directed the department to establish rules and regulations governing how mayhaws can be collected on department owned wildlife management areas. Rules and regulations have been developed by the department in accordance with H.B. 976 which will not stop people from harvesting mayhaws but protect the resources. This rule will provide for commercial harvesting provided that the local district offices are contacted and told what areas the commercial harvesters will be going into. Also, the harvest can be closed if deemed appropriate to protect it. Other

provisions will state how people can take mayhaws off the wildlife management areas. Mr. Morrison read the "Therefore Be It Resolved" portion of the resolution.

Chairman Jenkins asked that background information be given on this so that people would understand where it is coming from. Mr. Bateman addressed the Commission and advised that mayhaws have traditionally been a fruit that local people, particularly in the central part of the state and other specific areas, have collected for home use making jellies and jams. The department takes special pains to try and regulate commercial activities on the wma's so that it does not interfere with the recreational aspects. In particular response to this activity recently there has been a commercial venture started in the state to market mayhaw jelly retail and produce commercially. Mayhaw trees are distinctive in that they grown in areas in Louisiana where fire is excluded and in wet low areas where fires are excluded mayhaws can grown in the wild. The Saline WMA in the central part of the state which is flood prone and is a bottomland hardwood area has been the focal point of mayhaw collection in the past. This past year an incident occurred where the prospect of picking up mayhaw and selling them commercially to the jelly producer begin to generate some interest. A group of grown men who were hired by the commercial jelly producer went into one of the wma's and start picking up large quantities of mayhaws with fish seines under flooded trees. The mayhaw is a traditional fruit that occurs in the spring and is a valuable wildlife resource aside from its benefits of being made into homemade jellies and jams. A variety of wildlife, birds, game and non-game depend on this resource as a source of food in the spring. This is an early blooming plant and the fruit occurs ripe anywhere from mid-April into mid-May. Concluding, Mr. Bateman advised that the department has no intention of trying to throttle the industry aspects in terms of making the jellies, but the notice of intent specifically states rules that would require the commercial interest to abide by.

Chairman Jenkins asked if the state received any compensation from the commercial interest taking these berries. Mr. Bateman answered, no. Mr. McCall asked how would it be decided who will do this if there are ten companies wanting mayhaws. Mr. Bateman commented if the department begins to see that competition is starting to develop it will have to be separated so that it does not become unreasonable. The department's main intent is to try and protect the resource, not do damage to the trees and establish rules that would allow the department to regulate the activity so that it is reasonable. It is Mr. Bateman's understanding that the commercial interest down the road will probably slack off at some point because the company that is going to do this has a private orchard that they are developing and at some point they are going to be independent of coming on public or private properties to collect these fruit.

Mr. McCall asked what effect would the commercial harvesting of these berries have on the wildlife and will they suffer from it. Mr. Bateman explained that the mayhaw produces fruit usually all at one time and when it gets ripe you have to get out there and get it. The animals will begin to take the fruit before it ripens on the tree whereas people wait until the fruit reaches the right stage to develop and falls off on the ground. Mr. Bateman commented that he did not think there is any danger of having animals starve and this particular plant is just one component of their spring food source.

Mr. Jones advised that there are people in north Louisiana that are growing mayhaws commercially and if it does become a viable industry mayhaw trees are easily maintained and produce a lot of fruit.

Chairman Jenkins called for comments from the audience. There being none he called for a motion on the notice of intent. Mr. Pol made a motion that they adopt the notice of intent on the mayhaw. The motion was seconded by Captain Vujnovich and passed unanimously.

(The full text of the resolution is made a part of the resolution)

#### RESOLUTION

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

THE FOLLOWING WAS ADOPTED ;BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD IN BATON ROUGE, NOVEMBER 8, 1991.

WHEREAS, the Louisiana Legislature directed the Louisiana Department of Wildlife and Fisheries to develop rules and regulations governing the harvest of mayhaws on Department owned Wildlife Management Areas, and

WHEREAS, mayhaws are natural, renewable resources and regulations must be established for proper management, and

WHEREAS, the Department has addressed HB 976 of the 1991 Legislative Session and developed rules in accordance with the Act, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission on November 8, 1991, does hereby adopt a Notice of Intent that establishes guidelines for the collection of mayhaws, and

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent and the final rules, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

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James H. Jenkins  
Chairman

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A. Kell McInnis III  
Acting Secretary

(The full text of the notice is made  
a part of the record)

#### NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to promulgate rules governing the harvest and manner by which mayhaws shall be collected on department owned wildlife management areas.

#### Title 56 Wildlife and Fisheries

#### Part III State Game and Fish Preserves Sanctuaries

#### Chapter 1. Responsibilities, Duties and Regulation

#### Section 107. Collection of Mayhaw Fruit

All persons gathering mayhaw fruit on wildlife management area (WMA) for commercial or home consumption shall abide by the following rules and regulations:

- 1) Every one must abide by all rules and regulations in effect on the WMA.
- 2) Access routes and vehicle use must conform to rules and regulations established for the respective WMA.
- 3) Damage to mayhaw trees (trunk and branch) and surrounding vegetation is prohibited.

4) The use of mechanical harvesters, including shakers, is prohibited.

5) Mayhaw harvest is prohibited on wildlife management areas when turkey seasons are in progress.

6) Persons may only take five gallons per person per day for home consumption. Collecting in excess of five gallons per person per day is defined as a commercial activity. Anyone wishing to collect in commercial quantities must obtain a permit from the District Office and notify the department as to where collection will take place.

7) If the department deems that collections of mayhaw is detrimental to a specific area then the department may close that portion to all mayhaw collection.

These rules are being implemented to allow for harvesting of the fruit and still protect the resource for future use.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115 and HB 976 of the 1991 Legislature.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 18: (1992).

Persons interested in commenting on the proposed rules may do so publicly at regularly scheduled Commission meeting December - February. Written comments may be submitted until 4:30 p.m., January 15, 1992 to Hugh Bateman, Administrator, Game Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000.

James H. Jenkins, Jr.  
Chairman

Ms. Wynnette Kees gave an **Update on the Civil Penalties Restitution Program**. Ms. Kees reported that 133 more payments have been collected on civil restitutions which amounted to about \$9,000 and brings the total revenue to almost \$28,000. Two hundred and fifty six final notices were sent out and they are working with the Computer Center to develop a new program to maintain these records. This new program should allow them to be processed faster. It is anticipated that this will be ready in January 1992. Several form letters were developed to take care of some of the legal issues that have come up and just about everything that there were questions about has been resolved with the Legal staff, Enforcement Division and Acting Secretary McInnis. Policies have been written and submitted to Acting Secretary McInnis for concurrence. Packets for the D.A.'s and judges have been prepared which includes copies of the legislation and the values. The department is asking the district attorneys and judges for their assistance in educating the



public and violators about this program because there are still a lot of complaints that people do not know about it. A group of older cases carrying the most amount of money have been given to Mr. Puckett to pursue advised Ms. Kees and asked Mr. Puckett to report on this.

Mr. Puckett stated that what they attempting to do is to find an attorney(s) to take the package on a contingency basis and do the collection. Several attorneys have been contacted, some of whom who have shown an interest in doing this program. What the geographical boundaries of their participation would be remains to be seen. What Mr. Puckett hopes to do is in the coming month and prior to the December meeting is to have a contract(s) in place with an attorney(s) who would begin collection of these amounts.

Mr. Jones asked if it has been figured out exactly how the outside help is going to be determined. Mr. Puckett advised that ideally you would want to have someone who already has a collection type practice. Mr. Pol asked Mr. Puckett if he was going to submit the list to the Commission for approval. Mr. Puckett answered absolutely and if the Commission has any notions of some attorneys that they might be interested in their particular geographical area the department would be interested. The department would like to get somebody who has an established practice in collections and get the best contingency. Mr. Jones asked if some kind of formal request line needed to be set up to get on this list. Mr. Puckett advised that it does not have to be formal. Mr. Schneider asked what kind of deal was Mr. Puckett proposing that they cut with these people. Mr. Puckett stated that he is proposing that they get the lowest contingency rate they can and still get a decent collection effort. Mr. Pol asked what the fees for collection usually run. Mr. Puckett explained that you can see fees for collection run in 25%, 40%. Mr. Jones stated you can see 10%. Mr. Puckett commented that he would love to see 10%.

*and*  
Chairman Jenkins brought before the Commission the **Amending of the By-Laws for the Commission Notice of Intent**. Chairman Jenkins advised that he noticed that there were several things in the by-laws that needed to be attended to and had asked Mr. Puckett to take a look at them. Some changes would be the Royal Street address, *and* month for election of Chairman and Vice-Chairman. Chairman Jenkins called on Mr. Puckett to explain what needed to be done.

Mr. Puckett commented that two of the more *principal* obvious changes are the Royal Street address being the *principal* office and the time of elections and advised that what is required to be done is forty eight hours prior to the meeting (December) at which the amendments will take place, each of the Commissioners is to receive a copy of the proposed amendments. Mr. Puckett requested that in the intervening time that the Commissioners review the by-laws for changes that need to be incorporated as proposed changes so that they can be taken up formally at the December meeting.

Chairman Jenkins asked Mr. Puckett to advise what the procedure was to change the by-laws. Mr. Puckett explained that they are complying with part of the notice today by having it on the agenda. The second part of the notice would be complied with when the forty eight hour provision is met which is sending the copies of the proposed changes to the Commissioners. It would then be taken up by a vote of the Commission at the December meeting. Chairman Jenkins asked what would the procedure be for the Commissioners to propose changes. Mr. Puckett suggested that they use his office as a clearing house for this and if any individual Commissioner has an idea for a proposed change, ~~sent~~ <sup>send</sup> it to him and he would in turn mail it out to the other Commission members just as long as any changes get in prior to the forty eight hours before the December meeting. Chairman Jenkins asked the Commissioners if there were any objections to changing the permanent address to Baton Rouge. There being none, this item will be on the agenda and mailed out. Chairman Jenkins asked what would the case be if no action was taken on this at the December meeting, would they have to re-notice and go through the same process. Mr. Puckett advised that once the process has begun and as long as you re-notice it at that meeting you would have complied with the procedure. Chairman Jenkins asked if there were any other questions from the Commissioner or audience on this issue. There being none, Chairman Jenkins went on to the next agenda item.

*detached*  
Mr. McCall called for a review of the Alligator Tagging System. Mr. McCall advised that this item was put on the agenda because he has been contacted by a number of people in the alligator industry who have run into some problems this year, mainly with tags and the tagging system. Most of the problems have been tags that have broken off of the alligator, have been cut off accidentally, or have become ~~unattached~~ for one reason or another. What one has to consider is that this industry has changed a lot in the past four or five years starting out with just a few thousand alligators being caught and is now to the excess of 25,000 each year. The larger the number the more chance for violation or for this to happen commented Mr. McCall. The alligator use to be caught by an individual, a father and son team, or two friends and brought to an individual's homes for skinning and process to prepare it for sale. In the past year or two a large percentage of these alligators are now being sold in the whole and are taken, sometimes hundreds of miles, to skinning sheds to be skinned by people other than those who caught the alligator. In doing so the alligators are piled four or five foot deep in refrigerated trucks or they are put in closed end trucks and iced down to protect the meat. The meat has become valuable and Mr. McCall has been told it is actually one third of the alligator's value. When the alligators are caught the hunters have to manhandle these alligators and the tags sometimes have a tendency of getting hung in the ribs or machinery of the boat and are knocked off or broken off. Also when the alligators are unloaded from the boat they have to be ~~drag~~ <sup>dragged</sup> out of the boat and here again some of the tags may be getting torn off or damaged. Mr. McCall advised that he has about ten or twelve

slides that he would like to show the Commission members and the other people attending the meeting which might enlighten them on the problem. After the slides are shown Mr. McCall advised that he would like to make a few more comments.

*days* Mr. Guthrie Perry, Biologist, Fur and Refuge Division, showed and narrated the slides dealing with alligator harvest and the tagging system since the first experimental season in 1972. The season is conducted during the month of September and usually runs from thirty to thirty one day. Many types of tags have been tried over a period of years. The first tags used were copper which were attached by a special type of crimping pliers to attach the tag to the tail of the alligator. There was a lot of breakage with the original tags causing a lot of problems. The tags scarred the hides when they would go through the tanning process. In 1977 a plastic tag was used. In the early years these tags would break because of a very fragile part on the tag. In 1986 the department then went to a solid plastic tag with a bangle attached. All bangles and all tags are serially numbered and each hunter is assigned these tags. The department has to keep up with every tag from the time it is assigned to the hunter till it leaves the state. This is required by the federal government. These tags have to be applied immediately upon kill of the alligator. During the recent season, 1991, statewide there were twenty five tags issued to hunters in the Monroe area while in the Rockefeller area there were eight thousand six hundred tags issued. The Fur and Refuge Division is responsible for giving out about ninety five percent of the tags. Requirements for receiving tags are the following: 1) a hunter must document to the department that he owns the property or that he has permission to hunt a specific piece of property; 2) when this documentation is verified the hunter is assigned a certain number of tags depending on the carrying capacity or the number of alligators in his marsh; 3) each hunter is then given a set of the rules and regulations as adopted by the Louisiana Wildlife and Fisheries Commission along with a copy of the skinning instructions/flap specifications. Each year the department provides a alligator that is skinned properly to each district or area to show the hunters. The alligator skinning instructions are only provided a few days before the season. *an*

Mr. Perry advised that the subject of tag retention is the issue that prompted him to come to the Commission meeting. The hunters are required to put the tag on the tail of the alligator immediately upon harvest and they have been told many times since 1972 if the hide or the tag comes unattached to tie it back on in some kind of way because it would be an illegal hide with no tag attached. In the early years the hunters had no sale for the meat so they would skin the alligators either out in the marshes or homes and would give the meat away. In the early 1980's the popularity of the meat became apparent and is big business now with about a third or sometimes fifty percent on the value of the alligators. Over half of these alligators are now sold whole carcass and will be stacked (iced down) several deep in a truck to

transport to the processing facility. Not only is there a market in the United States but there is a big market in Taiwan and other countries for the alligator meat. Very close records are kept on the alligator tags and the size of the alligators being harvested. When a hunter sells his alligators to a buyer, the buyer fills out a list showing the size of the alligator and the tag number. This data is then put into the computers. When the dealers are ready to ship out of the state they will call the department to come and verify the hides for shipment. Crews will be sent from Rockefeller, New Iberia, and New Orleans and the hides will be checked to see if the skinning/flap is properly done and if there are problems with tied on tags the tags will be replaced. Fur and Refuge has had very good cooperation from Enforcement with clipping of the tags for many years until this year commented Mr. Perry and there seems to be a problem with the legality of tied on tags. Mr. Perry explained how the yellow shipping tag worked. The tag has a number, the shipper's name, the number of hides, and on the back will tell where they are going. Once the dealer is issued the tag he gives the department a shipping manifest which the tag is attached to listing every hide number and length. When the wild harvested hides are verified by the department the little bangle that is on the tag is clipped off. This bangle has a number which is ran through the computer which takes it off of the hunter's name showing that the hide was taken. Every time there is a tag that is not properly attached to the hide it is replaced and the original tag number is listed with a substitute tag number on a substitute tag report. This data then comes into Rockefeller and is entered into the computer. The statistics are then worked up and analyzed. Mr. Perry advised that they ran this data for 1990 just to see what kind of a problem substitute tags were. Statewide there was twenty five thousand seven hundred and somewhat tags issued with only 1.4 percent replaced. The size of the alligators that substitute tags were replaced peaked out at about seven feet. The average size of the alligator harvest in Louisiana has maintained the seven foot average year after year pointed out Mr. Perry. In 1972 in Cameron Parish there were nineteen hundred and sixty one tags issued and substituted one hundred thirty which was 9.6 percent. In 1983 there were 2.6 percent substituted. In 1985 there was one percent substituted. In 1990 there was 1.4 percent substituted. In 1991 it looks like 1.6 percent are going to be substituted which includes the eighteen thousand four hundred alligators that Fur and Refuge Division has personally looked at and also includes the stubs or the alligators as best they know that has been confiscated that included tied on tags pointed out Mr. Perry. Mr. Perry informed the Commission that several years ago there was some concern by Enforcement about some specific hunters that had a unusually large number of alligators that had substitute tags on them. Captain Joe Matassa asked if Fur and Refuge Division could work something out for them. Fur and Refuge met with the computer people to work out a program where anyone who had one alligator or more substituted his name would be listed. Another part of the program shows anybody that has had five percent

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or more. Fur and Refuge has worked with Enforcement in trying to solve some of the problems.

Mr. Perry pointed out that since 1970 the alligator census has been conducted throughout the state and the alligator population is still enjoying a ten percent increase in nest intensity. Concluding the slide program Mr. Perry reiterated the number of substitute tags that have been placed on by year.

Mr. McCall asked Mr. Perry to go back and show the slide showing the tag on the alligator tail and commented that the way the tag is installed there is a loop and to him this would be easy for something to get hung up on, which would be part of the problem, and torn off the alligator. Mr. Perry agreed with Mr. McCall and explained that once an alligator is shot there are some reflex actions still going on. Major Candies asked if there was any way to stop the reflex. Mr. Perry stated that many of the hunters will cut the alligator behind the hind legs which stops a lot of the reflexes.

Chairman Jenkins asked if most of the tags that have to be reattached is because they pull through the meat on the alligator and the hide or the tag itself has broken and come loose. Mr. Perry advised that he did not know exactly what percent this was but knows that the ones he has seen that many of them are tied on and there are also some that had rubber bands on them.

Mr. Jones asked after the hide got to its home destination what would keep that tag from just being cut off and sent back and being used again. Mr. Perry stated that this was a very serious concern of the Enforcement Division and this is why they do not want to see the tags continued to be tied on.

Mr. Foret asked why is plastic used, why not use metal. Mr. Perry explained that the metal scarred the hides. The tag stays attached to the hides thorough the tanning procedure and the tanneries asked that the department get away from the metal way back in the 70's.

Mr. Schneider asked if there would be any way to brand a hide, or stencil a number in them that will never come out. Mr. Perry commented there might possibly be a way to brand them.

Mr. Tommy Prickett, Administrator, Fur and Refuge, addressed the Commission. Mr. Prickett commented that Mr. Perry has shown the Commissioners a lot of facts on the past history of tagging and exact detail of numbers of how many replacement tags each year. Boiling it all down, the resource is not being injured and continues to increase. Is four hundred tags or three hundred and fifty tags out of twenty five thousand eight hundred in 1990 or twenty five thousand seven hundred a problem that warrants making dramatic changes? These are things that need to be discussed both with the Enforcement Division and public to see what can be done to ally any concerns about the illegal harvest of alligators and

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also make regulations reasonable that the agency can enforce and live with and that the public can live with concluded Mr. Prickett.

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Mr. McCall asked if the two divisions, Fur and Refuge and Enforcement, have ever met to discuss the rules and regulations concerning the alligator program. Mr. Perry advised that they have met several times. One meeting was in 1989 before the season which did not specifically address the rules and regulations with the Enforcement Division. This meeting was held at the Baton Rouge office in the Louisiana Room with all the people from around the state who were responsible for the issuing of the tags. At the time a new computer program was being implemented and those attending were told how to assign the tags to the individual along with specific items on the agenda on how to handle substitute tags or tags that might be broken off. There were some Enforcement personnel attending the meeting. The next meeting was at Rockefeller after the 1989 meeting which was specifically for Enforcement with the big thrust of the meeting being the nuisance program. Mr. McCall asked if this was the meeting that took place on August 10, 1989. Mr. Perry answered no, August 10th was the one that was before the season at the Baton Rouge office and was the one that Enforcement Division was also in attendance. Mr. McCall pointed out that he had a copy of a memo dated August 10, 1989 where there was a meeting which was attended by about fifteen or twenty people including Colonel Vidrine, Charlie Clark, Dennis Miculek, Ted Joanen, Lisa Theriot, Dave Richard, etc. On the last page of the memo there is a item listed "Substitute Tags - Only assign when they are clipped". "If tag is broken hunter must wire or tie it to the skin". Mr. Perry advised that this was correct and are the same ~~instructions~~ that have been given since the early 70's. Mr. McCall asked if he was correct when he says from the time that the alligator program started seventeen/eighteen years ago until this year one department has instructed the hunters and trappers that if a tag broke off, fell off, pulled off, to tie that tag back on the alligator. Mr. Perry answered, yes we have. Mr. McCall asked if it was true to say that none of these tied on tags have ever been considered illegal in the past. ~~Mr. Perry answered,~~ *happen* that as far as he knows the issue of tied on tags being illegal had not come up until this year. Mr. McCall asked Mr. Perry, as far as he knows, has there been any citations or alligators confiscated for tied on tags in the past. Mr. Perry answered, he did not think so. Mr. McCall then questioned why it was being done now. Mr. Perry answered, that he cannot answer that. Mr. McCall asked if anybody could answer this.

*Chippin*

Acting Secretary McInnis, at this point in the meeting, asked that the Commissioners give serious consideration to the fact that there are a number of pending cases involving this issue and it is totally inappropriate for discussion at this time. Mr. McCall asked Acting Secretary McInnis if his question was out of order. Acting Secretary McInnis answered, yes sir, in his opinion it is. Mr. Pol stated that he did not think it was. Acting Secretary McInnis commented that if the Commission is going to proceed with

this he will leave. Acting Sectary McInnis commented that he was telling them, and they may want to consult with Mr. Puckett, that he does not believe that this is an appropriate question at this time. Mr. Pol stated that Mr. McCall seems to think it is an appropriate question. Mr. Puckett addressed the Commission and advised that he has a great concern about the issues being discussed having a great bearing on some pending criminal and civil cases and he urged the Commission and department staff not to discuss these particular issues. Mr. Pol asked how were they going to resolve this if they don't discuss them. Mr. McCall stated that all he was asking was he would like to know why. For seventeen years one department of the Wildlife and Fisheries tells these trappers and hunters that they can tie a broken tag back on an alligator if it comes off. Now, this year in the middle of the season they start writing citations and confiscating alligators and he wants to know why pointed out Mr. McCall, is this an inappropriate question to ask at this time. Mr. Puckett stated that for the pendency of this litigation and others proceeding, it certainly well might be but thinks those issues at this point in time will be sorted out by a court. Mr. McCall advised that if Mr. Puckett says it is inappropriate he will withdraw the question. Mr. Puckett urged the Commission not to take these issues up at this time. Mr. McCall stated that this was all the questions he had right now, but there may be other people that may want to ask some questions.

Chairman Jenkins asked if anyone else on the Commission had any comments. There being none he called for comments from the audience.

Ms. Laurie Rolling, 319 Metairie Road, Metairie, LA 70005, Attorney addressed the Commission. Ms. Rolling thanked the Commission for calling this issue to the public's attention and having it on the agenda. Mr. Rolling and her father, as attorneys, represent a number of individuals who have attempted to comply with the alligator tagging regulation. They have represented individuals from southern Louisiana from the Bayou Black area, Kraemer area, Choupique area and other various area. The predominate source of income of these individuals is related to the harvesting of alligators and the related industries. As it was pointed out in this morning's meeting the current tagging system is in some respects unduly burdensome and creates civil and substantial economic losses not to mention criminal liability which was touched on this morning when things were about to get heated pointed out Ms. Rolling. Ms. Rolling commented that she thinks Mr. McCall hit on the problems they have with the tagging that involves broken tags and lost tags. When these alligators with their great weight get thrown around the tags come off. The laborers are not particularly concerned with whether the proprietor is accused of a wildlife violation. One of the areas that was touched on lightly but not mentioned as a problem was the flap specifications when the alligators are skinned and Ms. Rolling pointed out again that she touches on the quality of the labor the industry is condemned to

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hire in some circumstances. The conflict between the Fur and Refuge Division and Enforcement Division is acknowledged and Ms. Rolling believes there is a lack of communication between the two divisions and ask the Commission as their governing body to facilitate communication between the Fur and Refuge Division and Enforcement Division. Ms. Rolling stated that she just wanted to point out from the industry's point of view the problems they are facing. They cannot get involved in the internal politics of Fur and Refuge and Enforcement and who is going to be the biggest kid on the block between the two divisions. There are also some overriding economic concerns for the State of Louisiana and the international economic interplay between the alligator harvesting industry and other nations. This is no longer a southern Louisiana concern but in fact a concern from trading houses in Japan, Italy, and France with respect to Louisiana Wildlife and Fisheries regulations. Ms. Rolling has received faxed communications from those trading houses and when they are in final form she advised that she will be happy to make them available. She pointed out one copy of the faxed communications she had with her today which compliments Mr. Ted Joanen and the Fur and Refuge Division. The industry is a very respectable industry and would hate to get marred in some controversies between two divisions which the industry is feeling right now. The industry would like this resolved. Ms. Rolling stated that in closing she is not asking for any specific action other than that the Commission give the industry their consideration and assistance, that they facilitate communication between the two divisions, that they insure that the regulations are practical and pragmatic without creating undue economic hardship and that the Enforcement Division is on the same line and page as the regulatory commission. of  
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*Lower case* Mr. Michael Delesdernier, Attorney from New Orleans, addressed the Commission. Mr. Delesdernier advised that he represents a client (Pelts and Skins Export Limited) in the New Orleans area who has an alligator farm and a subsidiary company in Ville Platte that does business throughout Louisiana. Mr. Delesdernier stated that the companies decided to send their attorneys today to try and talk about these things calmly and quietly and work out a resolution to this problem. Mr. Delesdernier appreciates the fact that law suits have been filed against the Department of Wildlife and Fisheries as a result of certain actions taken by Enforcement Division and he has personal opinions as to what went on with regards to the Enforcement Division but these are not pertinent here today. The main focus for coming today is to try to avoid going through the court system to get justice when there is a conflict within the particular group in and of itself. Why should the courts decide Louisiana Department of Wildlife and Fisheries' policies. The industry is caught in the middle of the trick bag. The industry which was created through the efforts of the Rockefeller Refuge is a multi-million dollar industry in Louisiana stated Mr. Delesdernier. This year alligator skins were selling thirty to forty dollars a foot which was down from last year which was sixty to eighty dollars a foot. The industry has to deal with these



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price ~~influxes~~ and the only thing they can count on Wildlife and Fisheries to do is to present consistent policy because it is the only thing that is consistent to the man out there hunting. Mr. Delesdernier's client had several hundred alligator taken by Enforcement on the basic tag issue and on the flap issue and was not a substantial taking. The industry needs from the Commission a policy that they can work with so that when skins are bought from the farmers they meet the requirements as they have been ~~interrupted~~. The industry is asking the Commission to come in and formulate a policy to try and correct some of the inaccuracies and inequities that occurred this year so that litigation can be avoided and the industry can continue to work with Wildlife and Fisheries as they have for the past ten years.

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Chairman Jenkins stated that he would like to give his thoughts. First of all the Commission is not telling the courts to set the policies. The problem that is apparently being faced today is what may or may not be done in regard to pending litigation and is not a matter of setting policy. There is a system today that involves Enforcement whose job it is to write a violation on somebody who does not have tags properly attached to the alligator. Apparently for years ~~there has~~ been certain exceptions to the rule. All of a sudden it has come to focus. Chairman Jenkins commented that the resolution to the problem is to come up with a system that keeps this from happening. Some kind of method could be developed to identify the alligators where you don't have the problem of handling them. This is something that could be assigned to the staff to work on and come up with a recommendation.

Mr. McCall added that he would like to see the department's divisions that are involved in the alligator program sit down before the season starts next year, come up with a set of rules that all agree on and enforce those rules and if there ~~is~~ any violations lower the hammer on those that violate; but for all involved to be in agreement and complete agreement on the rules before the season starts and not change the rules in the middle of the alligator season. Mr. McCall asked Mr. David Richard, former employee of the department at Rockefeller who is now working for the Gray Estate if he would like to say a few words.

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Mr. Richard stated that for sixteen years he worked with the industry and populations and it has worked very well. The tags are supplied by the Fish and Wildlife Service and are ~~not Louisiana's~~ tags. These tags are used in Australia, New Guinea, Florida, Texas and ~~this~~ is a system that is used around the world, not just for Louisiana. This tag has a U.S. ~~CITES~~ printed on it that legalizes it for international trade. The replacement of tags has been a common practice and Mr. Richard has done it for many years. The basic philosophy problem that we may have here, is that we have tried to help the hunters and industries move forward in a new industry stated Mr. Richard. The things that went on this year may have been avoided if we would have been given some support in years past. It is an unfortunate thing that has happened and has given

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a black eye to the industry because of the things that have happened in midstream as Mr. McCall has talked about. This is something that needs to be resolved and Mr. Richard hopes that the Commission would take an active role in resolving it.

Mr. Pol asked Chairman Jenkins who made the decision to start this after seventeen years. Chairman Jenkins suggested that the Commission go into Executive Session and get more information on this, then come back and do whatever they feel they should do. The Executive Session can take place right after lunch advised Chairman Jenkins.

Chairman Jenkins stated that they will continue this item after lunch but would like to do one thing before lunch break. Chairman Jenkins asked that the rules be waived so that the Minerals Committee report on the shell dredging contract could be brought before the Commission. Mr. McCall made a motion that the rules be waived to take up the Minerals Committee report. The motion was seconded by Mr. Schneider. The motion passed unanimously. Chairman Jenkins asked Mr. Schneider to make the report.

*their* Mr. Jeff Schneider gave a report on the **Minerals Committee Meeting**. The committee met this morning at 9 a.m. and heard a request to extend the time for complying with the permit for dredging. ~~Louisiana Dredging has run into a snag with the permitting process that is not of their own making and they have demonstrated to the Committee that they have diligently tried to comply with all of the permitting requirements. They have requested an extension and it was the vote of the committee that it be extended, with the permit application time for thirty days passed the December 5th cutoff point and revisit the process at that time advised Mr. Schneider.~~ *past*

Chairman Jenkins asked Mr. Schneider if he would like to make this in a form of a motion to the Commission. Mr. Schneider stated that he makes that motion at this time. The motion was seconded by Captain Vujnovich. Chairman Jenkins called for questions/comments from the Commission and audience. There being none Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

Chairman Jenkins stated that the Commission will reconvene in Executive Session at 1:30 p.m. in the 4th floor conference room with the Commission meeting starting around 1:45 p.m. The meeting recessed for lunch.

Chairman Jenkins reconvened the October 8, 1991 Commission meeting and asked the Commission what their pleasure was on the Alligator Tagging system.

Mr. McCall stated that he would like to see the Commission get its department heads together and try to come up with a firm set of rules before the next alligator season and make sure Enforcement abides by those rules. As far as the past season Mr. McCall

advised that he could not comment on this as some of it is in pending law suits.

Chairman Jenkins asked Mr. McCall if he wanted to make this in the form of a motion.

Mr. McCall advised that he would make it in the form of a motion. Chairman Jenkins called for a second to the motion. The motion was seconded by Mr. Schneider and Chairman Jenkins called for discussion. There being no discussion Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

Acting Secretary McInnis commented that the department certainly realizes that there are errors in their regulations, not just alligator regulations, but from time to time it is discovered that department regulations are not as clear as they might be. Acting Secretary McInnis advised that he has worked with all staff and met with them during the end of September. It has been requested from staff by Acting Secretary McInnis that they submit information to him what that they think would be pertinent to possible modification of these existing rules. As the department progresses the Commissioners will be kept up-to-date. These modifications to the rules will then go before the Commission for consideration.

Dr. Robert H. Chabreck gave a report on the **Black Bear Committee Meeting** in Texas, which he attended. Dr. Chabreck reported that some of this information was discussed this morning under Item 7 on the agenda. He then continued to give an update on the current situation with the black bear. In March of 1987 the U.S. Fish and Wildlife Service received a petition to list the Louisiana black bear under the Endangered Species Act. In Louisiana the black bear was originally described as a separate sub-species, but because of the release of over a 160 black bear from Minnesota back in the 1960's by the department as part of a restocking program it was thought the Minnesota bears would have bred with the Louisiana bears and that there was no longer a valid sub-species. This added some complications to the listing because it could not be considered a valid sub-species. There was quite a bit of research that went into this to try and determine whether the Louisiana black bear was a valid sub-species and the conclusion was that they were unable to determine. The sample size that they had to work with was small so it was inconclusive but neither could it be invalidate that it was a sub-species. On June 21, 1990 the U.S. Fish and Wildlife Service published a proposed rule to list the black bear in Louisiana as a threatened species and they would take public comments for a year on this matter with a final determination this past June (1991). In the mean time there was a group formed called the Black Bear Conservation Committee to develop the management plan and to propose conservation measures for the black bear. This group consisted of the state and federal agencies in Louisiana, Texas, Mississippi, and Arkansas along with conservation organizations, landowners, and universities. This

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group has made some big strides while the comment period was under way and even developed a Memorandum of Understanding which spelled out what each group was to do with this conservation program. The U.S. Fish and Wildlife Service did not make the determination this past June that they were suppose to make but instead they postponed it for another six months and will make a final determination on whether or not to list the black bear on December 31, 1991. There was a meeting last month in Nacogdoches, Texas with the U.S. Fish and Wildlife Service. Mr. Richard Smith, Assistant Director, out of Washington, D.C. attended and there were some long discussions with them. They will consider all the information, and the efforts of the Black Bear Conservation Committee will be given very serious consideration. This is the type of approach that they like to use, having local involvement rather than federal listing advised Dr. Chabreck. If things turn out the way the committee hopes, the black bear will be left to local jurisdiction for a number of years and will give the program a chance to work concluded Dr. Chabreck.

Chairman Jenkins asked if there were any questions of Dr. Chabreck. Acting Secretary McInnis asked Dr. Chabreck if he recalled what the closing date was for the comments. Dr. Chabreck advised that the closing date for comments would be November 20, 1991.

The Winner of the 1992 Louisiana Duck Stamp Competition was announced by Mr. Dave Morrison. Mr. Morrison announced that the competition was held Wednesday, November 6th at the Wildlife and Fisheries Building, Baton Rouge, LA in the Louisiana Room. There were fifty entries submitted and after three stages of judging the five member panel selected number fifty as the winning design. This was painted by Mr. Bruce Heard from Baton Rouge who has been painting professionally since 1980 and is an avid hunter. The department is very please with the selection and very hopeful that it will raise additional monies to add to the 1.8 million that is currently in the Duck Stamp Fund. Mr. Morrison officially congratulated Mr. Heard and introduced him to everybody attending the meeting.

Mr. Heard stated that he was grateful for the judge's choice and thanked everyone. Mr. McCall asked him how long did it take him to do the painting. Mr. Heard advised that it took about two weeks. Mr. Jones asked Mr. Heard that as a local Louisiana artist if he was opposed to having artists outside the State of Louisiana competing in this contest. Mr. Heard stated that he was not. Mr. Jones asked Mr. Heard if he was to win this contest with nationwide artists wouldn't it be of much more value to him personally. Mr. Heard commented that he thinks it would. Mr. Jones advised that through studies and history they found out that prints have a much more added value if it is a national competition. Mr. Jones believes that the state could benefit more and the artist could benefit more if it was a national competition. Mr. Heard stated according to who won it, you could have a unknown artist win a national competition just as easily as a big name so another option

would be to go to a commission type print. Mr. Jones thanked Mr. Heard and stated that he appreciated the nice painting.

Mr. Morrison thanked Mr. Heard for coming by and pointed out the other finalists. Second place was won by Ron Hooper from Shreveport; third place was won by Randy McGovern who currently lives in Georgia. This year the legislation changed and it now reads as "domiciled in or native of Louisiana" which give a little bit more opportunity to get some national artists involved in this particularly if they are former natives of Louisiana pointed out Mr. Morrison. Fourth place was won by Debbie Chassion from Lockport.

**A Habitat Conservation Area Description** was given by Mr. Johnnie Tarver. Mr. Tarver stated that if the Commission recalls that last time they met there was a discussion about habitat conservation areas, refuge areas and wildlife management areas. Mr. Tarver was instructed to come back and address the Commission briefly on this which he is doing today. Mr. Tarver informed the Commission that a definition for a habitat conservation area is any area designated by the Commission to be managed for the purpose of restoring, conserving and perpetuating all natural habitats and species indigenous to the area in their natural balance. The primary objective is the conservation of native biotic diversity through perpetual maintenance of natural plant communities and associated species. Other objectives would be to conserve rare, threatened and unique species and their habitats; to provide recreational opportunities that are compatible with the primary objective; and to recreate as nearly as possible natural conditions in the area. The basic management philosophy is that the conservation of the native biological diversity is accomplished through wise management. Natural forces will be re-established where practicable such as fire. These were very important to the maintenance of systems in the past. For public benefits they will provide areas for baseline scientific research; recreational and aesthetic enjoyment which will be here for many generations. Compatible uses of areas as envisioned will be hunting, fishing, trapping, outdoor education, recreational, research, nature study, hiking, etc. Concluding, Mr. Tarver advised that this brings the Commission up-to-date on the habitat conservation area and asked if there were any questions. Chairman Jenkins thanked Mr. Tarver and asked if there were any questions/comments from the Commission or audience. There being none Chairman Jenkins went on to the next item on the agenda.

**The Monthly Law Enforcement Report** was given by Colonel Winton Vidrine. Colonel Vidrine reported the following citations for the month of October 1991.

Region I - Minden - 117 cases.

Region II - Monroe - 52 cases.

Region III - Alexandria - 93 cases.

Region IV - Ferriday - 59 cases.

Region V - Lake Charles - 214 cases.

Region VI - Opelousas - 101 cases.

Region VII - Baton Rouge - 161 cases.

Region VIII - New Orleans - 446 cases.

Region IX - Thibodeaux - 278 cases.

The Oyster Strike Force had a total of 75 cases and the offshore boats, Riptide and Delta Tide, had a total of 31 cases. There was a grand total of 1,617 cases for the month of October.

*of*  
Captain Vujnovich commented on the Oyster Strike Force and the ~~twenty-four cases~~ on taking undersized oysters on natural reefs. Captain Vujnovich pointed out that there is a three inch law for natural reefs but on the leases there is no undersize law. People are fishing state seed grounds for undersized oysters and putting their tag number and lease number on them. Catching these fishermen would require constant observation. Captain Vujnovich would like to see the law changed for next year and make it completely across the board, on private leases also, with a three inch or two and a half inch size. Colonel Vidrine agreed with Captain Vujnovich and added that from a law enforcement standpoint it would make it a lot easier on them to enforce the oyster regulations. Captain Vujnovich advised that there are many people in the oyster industry who are willing to back up something like ~~this~~ which will give them a good start.

*suggesting*  
Chairman Jenkins asked Colonel Vidrine about the 959 sacks of oysters and what is being done with them. Colonel Vidrine advised that they did confiscated 959 sacks of oysters and the oysters are all put back on the reefs. Captain Vujnovich recommended that the oysters should have been put on the bank, people in the industry be called and put these oysters on bids. Captain Vujnovich advised that he would have gladly given four or five dollars a sack and would have put them on his own lease. Colonel Vidrine pointed out that they put a lot of man hours putting these oysters back. Mr. McCall asked if they picked a spot where they put them back in. Colonel Vidrine stated that they were put back in state reefs. ~~Chairman Jenkins~~ commented that if we could do what Captain Vujnovich is ~~talking~~ the department would save a lot of money and actually make money. Major Candies advised that the oysters can be returned at the violator's expense. Captain Vujnovich asked if they had ever charged anybody for expenses. Major Candies answered, we tried to.

Acting Secretary A. Kell McInnis III gave his **Secretary's Report** to the Commissioners.

Acting Secretary McInnis gave an update on the disposition of the D.A.'s report. The sample that was submitted to the Commission last month has been refined and a new column added on for the dispositions that have not been filed. The dispositions from the D.A.'s will be put in the computer at the region level. Everything is up-to-date as far as the new cases are concerned and <sup>we</sup> are now working on getting in the volumes of the dispositions received back. There should be a report that will be in good format by next month. There will be a meeting in Baton Rouge next Tuesday to bring the various enforcement staff people in to work on this program.

Acting Secretary McInnis asked Mr. Bateman to give a report on the Catahoula Lake dedication and waterfowl report.

Mr. Bateman reported that the formal dedication of Catahoula Lake took place on October 26-27, 1991. The Fish and Wildlife Service worked with the department in having the lake nominated as a wetland of international importance through an international treaty that was signed by seventy five nations fifteen years ago. This gives Catahoula Lake the status of being recognized worldwide for its contributions to migratory birds. It is a natural wetland area and is extremely important economically and recreationally to the citizens of Louisiana and migratory bird resources in the central part of the state. The diploma was presented by the Fish and Wildlife Service at the Catahoula Lake Folklife Festival that has been occurring for a great many years in Alexandria. Mr. Bateman pointed out that there were photographs, along with the diploma, on display in the back of the room that shows what the festival is about. On behalf of the department Acting Secretary McInnis received the diploma. There was a bit of concern by some local citizens that because of this action or recognition that there might be some changes in terms of whether people could use the lake like they have traditionally for cattle grazing, gathering hay, commercial fishing purposes, hunting, fishing, etc. This particular recognition has no bearing on changing any of this but will, in fact, add some leverage in strength to the state's ability to keep it the way it is, keep it managed properly and benefiting migratory bird resources. Right now there are probably in excess of 200,000 birds on the lake.

The waterfowl situation in the state is about as good as one could hope for. Because of the early cold weather a lot of migratory birds have come into the state and Mr. Bateman believes that there is an above average number of birds for this time of year. Areas along the coast that have huge bird concentrations are Lacassine Refuge, Rockefeller Refuge, Atchafalaya River Delta, and Amnoco property north of White Lake. The latest cold spell has pushed spectacular numbers of snow geese into the state over the last few days. The rice country now has got a lot of water and the birds have actually shifted from the coastal area up into the rice fields. The survey biologist will do their first aerial survey of

the coast next week and should be in a position to help the law enforcement people. Mr. Bateman advised that from what he knows and has seen that the state is in good shape to experience a good successful waterfowl season on the 16th than it has been in a long time.

Mr. Jones stated that there is more available water in north Louisiana than there has been in years past. Mr. Bateman agreed and refreshed the Commission on what happened last year because of the hot and dry weather. Mr. Bateman further related that several major deer seasons opened this last weekend. There were eight wildlife management areas opened for the special early youth hunts. The weather was cool, had a great turn out of kids that did very well on the hunt, success ratio ran down into the one to ten, one to twelve range. There was a good effort with these hunts and there were no major problems or accidents. Area 2 gun season opened this past weekend and ~~everything that~~ Mr. Bateman has heard ~~is~~ was a very successful opening weekend. Ten of the wildlife management areas were opened for the first time this year for gun hunting on that weekend and the records indicate that ~~there has~~ been the best hunting success on those early areas ~~then~~ there has been for many, many years. One area, outside of Ruston, went over three hundred the opening weekend which is something that has not been seen in several years. The weather has played an important part in how all of the wildlife react stated Mr. Bateman.

Acting Secretary McInnis reported that in conjunction with this the special strike force went to Allen Parish to work with the personnel at the West Bay WMA. They checked over 370 people, there were six cases initiated from untagged deer meat and about 50 cases of not abiding by rules and regulations. This shows that when you have the personnel to send to a place to concentrate on something and with the cooperations between the two groups that a good job can be done.

This year the department banded 1,175 wood ducks prior to the season. This is sixty percent more than was banded last year. The Fish and Wildlife Service banded another 550 which put the total over 1,700 which is remarkable when the quota was only 1,200. The abundance of the wood ducks is picking up.

The lifetime license is on schedule and should be available right after the first of the year. A few minor modifications have been made in the program based on experiences that other states have had so that Louisiana can have a successful program. The department is trying to make sure that the non-residents don't unduly take advantage of the program and also that it is something that is beneficial not only to the department but something that can be marketed well to the constituents.

Acting Secretary McInnis along with several department personnel just returned from the Southeastern Association of Fish and Wildlife Agencies conference which was held at White Sulphur



Springs, West Virginia. This conference was not quite as well attended as some have been in the past because of problems with ~~one~~ being forest fires in the area. Next year the conference will be in Texas and hopefully attendance will be better. The conference is an opportunity for the state agencies to get together and share ideas, common problems and common solutions to those problems. Mr. Bruce Davidson, from the department's Inland Fisheries ~~Section~~ *Division*, presented a paper at the conference and Ms. Janice Little, fisheries biologist for the department, was honored as one of the outstanding fisheries biologists in the country announced Acting Secretary McInnis.

Comments are being received on the notice of intent for the spotted seatrout on a regular basis. These comments are being compiled and coordinated for the Commissioners and will be submitted to the Commission for their review prior to final ratification. Chairman Jenkins asked if the department had received any landings on speckled trout. Ms. Foote stated that they are starting to come in.

*the conference* Acting Secretary McInnis was asked to serve on a committee that deals with the waterbottoms problem. Mr. Don Puckett will be working with Acting Secretary McInnis on this. This is a situation where the Supreme Court of the United States made a ruling in the Phillips ~~case~~, Mississippi, ~~affecting~~ *involving* the flow of the tidal action and the effect upon the ~~title to~~ lands affected thereby in the State of Mississippi. As Louisiana has so many wetlands, it is of serious concern to state, landowners and to the fishermen of the state who access these waters. There ~~has been~~ *have* two meetings and are in the process of going through all the legal niceties that make up the body of law on waterbottoms. Reviewing these are persons from the law school, practical land attorneys, state agencies, etc. and a preliminary draft will be submitted to the Law Institute for their consideration. Hopefully, this will become the basis for some legislation that will clear up questions created by the Phillips ~~case~~ decision in the coming year.

*J* A survey of information was sent to the District Attorneys to get back information from them on who had compatibility to work with on a computer basis. Thirty have come back in with twelve still left. This should be completed shortly.

*(2)* The Habitat and Conservation Division has been busy with their permit activities. They are also working on comments for the new wetlands manual. The Barataria-Terrebonne Workshop was held at Nicholls State and the department was represented by Dr. Chabreck. They are also working on scenic rivers situations and trying to draft legislation to get financial support for this section. There was a Reptile and Amphibian Task Force meeting and they will be working on some potential legislation for next year. Meeting of the Nuisance Animal Control Panel. In the Alexandria area there was a meeting on the Watchable Wildlife Proposal which involved the Fish and Wildlife Service, Department of Agriculture, Forest *Ask J. Tanner*

Service, Culture, Recreation and Tourism with Parks and Department of Wildlife and Fisheries. There is no funding source for this at the time but is something that the department needs to keep their hand in.

An LSU student has been assigned from the School of Landscape Design to work with the department staff on a projected nature trail on Dawson Creek which is located along side of the building. Chairman Jenkins asked if the lease had ever been signed. Mr. Puckett advised that it is in the works right now. LSU did not have a property description in the document.

Another round of hearings were held on the Class 1 violations. The October hearings have resulted in a ten thousand dollar a month increase over what was being received before. These series of hearings did not include Title 34 which will be added in.

Acting Secretary McInnis showed a new possession tag for game. One side is for deer and turkey and the other side is for waterfowl. The department worked with Ducks Unlimited to produce this tag. These tags are designed with the intent that if they are filled out completely hunters should not have any problem with the tagging requirements established either by state law or federal law concluded Acting Secretary McInnis.

Chairman Jenkins asked Acting Secretary McInnis about the Speckled Trout Task Force. Acting Secretary McInnis stated that Ms. Foote had presented the preliminary information on the card and it was on the agenda for the Budget Committee for the month of November and it was decided that it would be pulled from the agenda. The department has been in touch with the committee and will provide them with whatever information they request so that they have a complete hearing at the next hearing. There will be difficulties if there is no funding for this program.

**The Date for the February 1992 Commission Meeting** was set. The February Commission meeting was set for Thursday, February 6, 1992, at 10 a.m. in Baton Rouge, Louisiana.

Chairman Jenkins called for **Public Comments and Comments from the Commission.**

Mr. Foret advised that the Environmental Group of America will be at December's Commission meeting to make their presentation and would like to be put on the agenda.

Chairman Jenkins called for a motion to adjourn the November 8, 1991 Commission meeting. Mr. McCall made the motion. The motion was seconded by Mr. Schneider and passed unanimously.

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A. Kell McInnis III  
Acting Secretary

AKM:sb

RESOLUTION  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD IN BATON ROUGE, NOVEMBER 8, 1991.


WHEREAS, the Louisiana Legislature directed the Louisiana Department of Wildlife and Fisheries to develop rules and regulations governing the harvest of mayhaws on Department owned Wildlife Management Areas, and


WHEREAS, mayhaws are natural, renewable resource and regulations must be established for proper management, and

WHEREAS, the Department has addressed HB976 of the 1991 Legislative Session and developed rules in accordance with the Act, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission on November 8, 1991 does hereby adopt a Notice of Intent that establishes guidelines for the collection of mayhaws, and

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this Notice of Intent and the final rules, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

  
James H. Jenkins  
Chairman

  
A. Kell McInnis III  
Acting Secretary

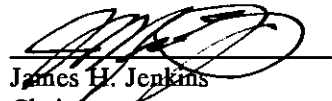
**RESOLUTION**  
**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**  
**Fish and Wildlife Values**


WHEREAS, Louisiana Revised Statute 56:40.2 requires the Louisiana Wildlife and Fisheries Commission to determine values for injured or destroyed fish, wild birds, wild quadrupeds and other aquatic life, and

WHEREAS, the Commission adopted rules establishing guidelines for determination of these values in LAC 76:I.313, and these guidelines include costs that need to be periodically updated

THEREFORE, BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby give notice of its intent to amend rules and regulations establishing fish and wildlife values to include current information. The Notice of Intent attached to and made a part of this resolution is hereby approved.

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

  
James H. Jenkins  
Chairman

  
A. Kell McInnis III  
Acting Secretary

AGENDA  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
BATON ROUGE, LA  
NOVEMBER 8, 1991

- ✓ 1. Roll Call
- ✓ 2. Approval of Minutes of October 8th.
- ✓ 3. Ratification of the Rule on Black Bass Regulations - Bennie Fontenot
- ✓ 4. Ratification of the Rule on Toledo Bend Reciprocal Agreement - Bennie Fontenot
- ✓ 5. Notice of Intent on Amendment to Lake Bruin, Special Recurring Commercial Fishing Season - Bennie Fontenot
- ✓ 6. Notice of Intent on Lake Providence, Closed Season on Gill Nets and Trammel Nets - Bennie Fontenot
- ✓ 7. Notice of Intent on Amendment to Fish and Wildlife Values - Dr. Jerry Clark and Dr. Robert H. Chabreck
- ✓ 8. Declarations of Emergency on Commercial Fishermen's Sales Card, - Karen Foote
- ✓ 9. Notice of Intent on Mayhaw Berry Regulations on Wildlife Management Areas - Dave Morrison
- (?) ✓ 10. Update on Civil Penalties Restitution Program - Wynnette Kees
11. Notice of Intent to Amend By-Laws - James H. Jenkins
- ✓ 12. Review of Alligator Tagging System - Norman McCall
- ✓ 13. Announcement of 1991 Louisiana Duck Stamp Winner - Dave Morrison
- ✓ 14. Black Bear Committee Report - Dr. Robert H. Chabreck
- ✓ 15. Habitat Conservation Area Discussion - Johnnie Tarver
16. Monthly Law Enforcement Report - Winton Vidrine
- ✓ 17. Acting Secretary's Report to the Commission - A. Kell McInnis III
18. Set February Commission Date
19. Public Comment

**COMMISSION MEETING  
ROLL CALL**

Friday, November 8, 1991  
Baton Rouge, LA  
Wildlife and Fisheries Building

	Attended	Absent
Jimmy Jenkins (Chairman)	<u>✓</u>	—
Houston Foret	<u>✓</u>	—
Bert Jones	<u>✓</u>	—
Norman McCall	<u>✓</u>	—
Warren Pol	<u>✓</u>	—
Jeff Schneider	<u>✓</u>	—
Peter Vujnovich	<u>✓</u>	—

Mr. Chairman:

There are 7 Commissioners in attendance and we have a quorum.  
Acting Secretary Kell McInnis is also present.

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## RULE

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

## Title 76

## WILDLIFE AND FISHERIES

## Part VII. Fish and Other Aquatic Life

## Chapter 1. Freshwater Sport and Commercial Fishing

## Section 149. Black Bass Regulations - Daily Take and Size Limits

The Louisiana Wildlife and Fisheries Commission hereby establishes a statewide daily take (creel limit) of 10 fish for black bass (Micropterus spp.). The possession limit shall be the same as the daily take on water and twice the daily take off water.

In addition, the Commission establishes special size and daily take regulations for black bass on the following waterbodies:

Concordia Lake (Concordia Parish) and False River (Pointe Coupee Parish):

Size Limit: 15 inch - 19 inch slot

Daily Take: 8 fish - of which no more than two fish may exceed 19 inches maximum total length.\*

Possession Limit: On Water - Same as daily take  
Off Water - Twice the daily take

A 15 - 19 inch slot limit means that it is illegal to keep or possess a black bass whose maximum total length is between 15 inches and 19 inches, both measurements inclusive.

Lake Bartholomew (Morehouse and Ouachita Parishes), Black Bayou

Lake (Bossier Parish), Caney Creek Lake (Jackson Parish), Chicot Lake (Evangeline Parish), Cross Lake (Caddo Parish), Lake Rodemacher (Rapides Parish) and Vernon Lake (Vernon Parish):

Size Limit: 14 - 17 inch slot

Daily Take: 8 fish - of which no more than 4 fish may exceed 17 inches maximum total length.

Possession Limit: On Water - Same as daily take  
Off Water - Twice the daily take

A 14 - 17 inch slot means that it is illegal to keep or possess a black bass whose maximum total length is between 14 inches and 17 inches, both measurements inclusive.

\* Maximum total length - The distance in a straight line from the tip of the snout to the most posterior point of the depressed caudal fin as measured with mouth closed on a flat surface.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325 (c), 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 14:364 (June 1988), L.R. Amended, L.R. 17:278 (March 1991), Repromulgated L.R. 17:488 (May 1991), Amended L.R. 17: (November 1991).

James H. Jenkins, Jr.  
Chairman

#4

## RULE

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby amends the Joint Louisiana/Texas Toledo Bend and Caddo Lake Sportfishing Reciprocal Agreement that became effective April 1, 1991.

## Title 76

### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 1. Freshwater Sport and Commercial Fishing

#### Section 110. Toledo Bend Reciprocal Agreement

The daily creel limit, (daily take), for black bass (Micropterus spp.) is set at eight fish and the minimum total length is set at 14 inches in Toledo Bend Reservoir and Caddo Lake.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325 (c), 326.3, 673.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission L.R. 14:548 (August 1988), Amended L.R. 17:278 (March 1991), Amended L.R. 17: (November 1991).

James H. Jenkins, Jr.  
Chairman

## NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend and adopt the rule governing the special recurring commercial fishing season on Lake Bruin.

## Title 76

## Wildlife and Fisheries

## Part VII. Fish and Other Aquatic Life

## Chapter 1. Freshwater Sports and Commercial Fishing

## Section 125. Lake Bruin

The Louisiana Wildlife and Fisheries Commission hereby establishes and permits a special recurring commercial fishing season, allowing the use of certain nets and slat traps, in Lake Bruin, Tensas Parish, Louisiana. The season will commence each year at sunrise on November 1 and close at sunset on the last day of February the following year.

A. Commercial fishing with certain nets and slat traps will be allowed on Lake Bruin only during the above described special season and only by licensed commercial fishermen who must also obtain a Lake Bruin commercial fishing permit from the Louisiana Department of Wildlife and Fisheries. The permit will be issued at no cost on a seasonal basis and must be renewed

for each season. The permittee must also file a report to the Department of Wildlife and Fisheries of his catch that is postmarked not later than 15 days after the close of that season. The use of nets in Lake Bruin will be limited to gill and trammel nets greater than or having at least a minimum mesh of 3 1/2" bar and 7" stretch.

B. Commercial fishing will be allowed only during daylight hours except that gear can remain set overnight but fish captured may be removed during daylight hours only.

C. Failure to comply with the terms of the special permit or of any Louisiana commercial fishing regulations shall result in immediate cancellation of the permit for the remainder of the current season.

D. Failure to submit a timely report for a particular year's commercial fishing season shall result in the denial of a permit for the next year. If a report is eventually received after the deadline period for a particular year, the applicant may get a permit after skipping a year, however, if no report is ever filed, no permit for any subsequent year will be considered.

E. Applicants with a citation(s) pending for three years or less, which is a Class II fish or game violation(s) or greater shall be denied a permit until such time as the applicant appears before department officials for the purpose of reviewing the citation(s) issued. The secretary, after reviewing the proceedings, may issue or deny the permit.

F. Permits shall not be issued to any applicant who within three years of the date of his/her application, has been convicted or plead guilty to a Class II fish or game violation or greater, as defined in the laws pertaining to wildlife and fisheries.

G. Applicants convicted of, or pleading guilty to two or more Class II fish or game violations or greater within five years of the application date shall not receive a permit.

AUTHORITY NOTE: Promulgated in accordance R.S 56:22, 56:326.3 and R.S. 56:402.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 13:502 (September 1987), Amended Wildlife and Fisheries Commission L.R. 18: ( 1992).

Written comments regarding these amendments may be submitted no later than January 10, 1992 and should be submitted to Bennie Fontenot, Administrator, Inland Fish Division, Box 98000, Baton Rouge, LA 70898-9000.

James H. Jenkins, Jr.  
Chairman

## NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to prohibit the use of gill nets and trammel nets in Lake Providence except during recurring season.

## Title 76

## Wildlife and Fisheries

## Part VII. Fish and Other Aquatic Life

## Chapter 1. Freshwater Sports and Commercial Fishing

## Section 163. Lake Providence, Gill Nets and Trammel Nets

A. Prohibits the use of gill nets and trammel nets in Lake Providence, East Carroll Parish, Lake Providence, Louisiana, except their use will be allowed for the legal harvest of commercial fish during a special recurring trammel and gill netting season to commence each year at sunrise on November 1 and close at sunset on the last day of February the following year.

B. The trammel and gill nets allowed during the special recurring season shall have a minimum mesh size of 3 1/2" bar and 7" stretched.

C. Said net may remain set overnight, but fish captured may be removed during daylight hours only.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22 and 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 18: ( 1992).

Written comments regarding this notice of intent may be submitted no later than January 10, 1992 and should be submitted to Bennie Fontenot, Administrator, Inland Fish Division, Box 98000, Baton Rouge, LA 70898-9000.

James H. Jenkins, Jr.  
Chairman





STATE OF LOUISIANA  
HOUSE OF REPRESENTATIVES

CHARLES McDONALD  
DISTRICT 14

J. Clark 72

P. O. BOX 1495  
BASTROP, LOUISIANA 71221-1495  
(318) 281-8121  
AGRICULTURE  
EDUCATION  
RURAL CAUCUS

October 4, 1991

Mr. Kell McInnis, III  
Department of Wildlife and Fisheries  
2000 Quail Drive  
Baton Rouge, LA 70808

RE: Commercial Fishing in Lake Providence

Dear Kell:

Please find enclosed correspondence from the members of the East Carroll Parish Police Jury. This concerns a request to LA Wildlife and Fisheries Commission to secure legislation and to ratify the recommendations presented by Mike Wood, LA Wildlife and Fisheries Biologist, to improve sport fishing on Lake Providence.

Kell, I would greatly appreciate it if you would take a look at our enclosed correspondence and respond to me at your earliest possible convenience. I plan to sponsor necessary legislation to help the East Carroll Police Jury comply with these recommendations.

I look forward to working with you and your office on these vital issues.

With kind regards, I am

Sincerely,

*Charlie*

Charles R. McDonald  
State Representative  
District 14

CRM:csc  
CC: East Carroll Parish Police Jury

OCT 11 1991

RECEIVED  
OCT 11 1991  
CLERK OF THE HOUSE

Recommendations to improve sport fisheries on the lake are as follows:

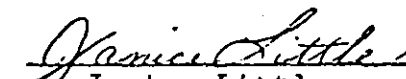
1. A commercial fishery is present in the lake and as part of the current Lake Providence Management Plan, these fish must be harvested to maintain the fish population balance. We recommend that a special Commercial Fishing Season be established on the lake as follows:

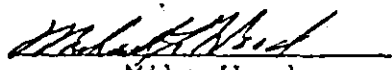
Prohibit the use of gill nets and trammel nets in Lake Providence EXCEPT during a special recurring Commercial Fishing Season allowing the use of these nets, greater than or having at least a minimum of 3 1/2 inch bar and 7 inches stretched. Begin the Commercial Fishing Season each year at sunrise on November 1 and close it at sunset on the last day of February the following year. Commercial webbing can remain set overnight but fish captured will have to be removed during daylight hours only. (In order to have this regulation enforced by Department personnel, it must be approved by the governing authority of the lake and then ratified by the Louisiana Wildlife and Fisheries Commission.) Slat traps and hoop nets should be allowed year around for the harvest of legal size channel catfish.

These regulations are similar those presently in effect on Lake Bruin in Tensas Parish. At one time, all commercial fishing was restricted on this lake and the commercial fish population became a serious problem. A Commercial Fishing Season was initiated and has had beneficial effects on the fish population. This regulation has been favorably accepted on Lake Bruin by both commercial and sport fishermen.

2. We do not recommend the re-stocking of hybrid striped bass for the following reasons: 1. the shad population is not large enough to warrant stocking additional predatory fish and 2. hybrid striped bass are susceptible to being caught in commercial webbing.

Submitted by:

  
Janice Little  
Fisheries Biologist

  
Mike Wood  
Fisheries Biologist



*Senate  
State of Louisiana*

*common file  
cc JL ✓*

**WILLIE E. CRAIN**  
State Senator  
District 33

P. O. Box 249  
Rayville, LA 71269  
District Office: (318) 728-6830  
Capitol Office: (504) 342-6181

**COMMITTEES:**  
Local & Municipal Affairs,  
Chairman  
Agriculture  
Revenue & Fiscal Affairs  
Senate & Governmental  
Affairs

**SUBCOMMITTEES:**

**ACTION:**  
Local Government,  
Chairman  
**CAPITAL OUTLAY:**  
Infrastructure,  
Chairman

October 22, 1991

Mr. Kell McInnis  
Acting Secretary  
Wildlife & Fisheries Commission  
P. O. Box 98000  
Baton Rouge, Louisiana 70898

Dear Kell,

Recently you received a request from the East Carroll Police Jury requesting that the recommendations by your fishery biologist be implemented for Lake Providence.

I would appreciate it if you could get the Wildlife and Fisheries Commission to radify the actions of the East Carroll Police Jury.

Sincerely,

*Willie E. Crain*  
Willie E. Crain  
State Senator  
District 33

WEC:mn

cc: East Carroll Police Jury

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OCT 28 91

MEMBERS:

CHARLES L. VINING JR., Dist. 1  
A. J. JOHNSON, Dist. 2  
MARGARET F. SURLES, Dist. 3  
C. A. "MIKE" SUMRALL, Dist. 4  
BROWN F. NELSON, Dist. 5  
HOSIE L. LAYTON, Dist. 6  
VERDIA MAE LOYD, Dist. 7  
A. L. THOMAS, Dist. 8  
BOBBY L. MOORE, Dist. 9

POLICE JURY  
OF  
EAST CARROLL PARISH

400 FIRST STREET  
LAKE PROVIDENCE, LA. 71254

318/559-2256

September 27, 1991

*T. Clouth*  
PRESIDENT

Bennie F.  
Brown F. Nelson

VICE-PRESIDENT

A. L. Thomas

SECRETARY-TREASURER

Mary Edna Wilson

PRESIDENT, PRISON FARM

A. L. Thomas

Mr. Kell McInnis III  
Acting Secretary  
Dept. of Wildlife & Fisheries  
2000 Quail Drive  
Baton Rouge, La. 70808

Dear Mr. McInnis:

At a regular meeting of the East Carroll Parish Police Jury held on Wednesday, September 11, 1991 a large group of interested citizens were in attendance to discuss commercial fishing in Lake Providence. After a lengthy discussion and presentation of a petition to the Jury, the East Carroll Police Jury voted to request La. Wildlife & Fisheries Commission to secure legislation and also to ratify the recommendations presented by Mike Wood, La. Wildlife & Fisheries Biologist to improve sport fishing on Lake Providence.

Sincerely,

*M.E. Wilson*

M.E. Wilson,  
Secretary-Treasurer

CC: Senator Willie Crain  
Representative Jess Smith  
Representative Charles McDonald

LA. DEPT. OF WILDLIFE & FISHERIES

OCT -7 1991

FISH DIVISION

RECEIVED

LA. DEPARTMENT OF  
WILDLIFE & FISHERIES

OCT -1 1991

ASSISTANT SECRETARY  
OFFICE OF FISHERIES

OCT 0 1 91

FISHERIES  
OFFICE SECRETARY

# State of Louisiana



A. Kell McInnis III  
Acting Secretary

Department of Wildlife and Fisheries  
Post Office Box 4004  
Monroe, LA 71211  
(318) 343-4044  
September 11, 1991

Buddy Roemer  
Governor

## LAKE PROVIDENCE MANAGEMENT RECOMMENDATIONS

Fish population samples were taken on Lake Providence in July 1990 using rotenone. Three one-acre samples were taken in different areas of the lake and an average of these samples was calculated.

Largemouth bass in excess of 9 inches in length have increased in numbers of fish per acre (24.3) from the 1987 samples (13.0). These bass averaged slightly over one pound each. However, this is lower than the average weight of 2.4 pounds recorded in 1987. Five largemouth bass per acre were captured in the 5.0 to 9.0 inch range in 1990 while none were recorded for 1987. Reproduction was lower in 1990 with 8.7 largemouth bass per acre. This is still adequate numbers of bass reproduction. An average of 26 pounds of largemouth bass were found per acre.

Yellow bass were located in the lake and averaged over 200 fish per acre, primarily in the 4.0 to 5.9 inch range. These fish had not been present in other rotenone samples. Both white and black crappie were more abundant in 1990 than in 1987.

An increase in numbers of both bluegill and redear (chinquapin) sunfish was observed for fish greater than 5 inches in length. Bluegill reproduction was higher for 1990 than 1987.

The number of carp per acre have remained about the same while freshwater drum (gaspergoo) have increased in both fish greater than 10 inches total length and less than 5 inches (reproduction). An average of 117 pounds of freshwater drum were found per acre. Buffalo and bullheads were captured in both 1990 and 1987. An average of 1.3 grass carp (white amur) that averaged 11.8 pounds per acre were captured.

As usual, many small channel catfish were found in the 1990 samples. Sixty-eight were greater than 10 inches in length while 212 were in the 5 to 10 inch range. These fish averaged over 50 pounds per acre.

Forage fish, comprised primarily of gizzard and threadfin shad, made up 53 percent of the total fish population. This is up from 39 percent in 1987.

A total of 655 pounds of fish per acre were captured in the lake which is excellent production. In 1987, 571 pounds of fish per acre were present.

An Equal Opportunity Employer

Recommendations to improve sport fisheries on the lake are as follows:

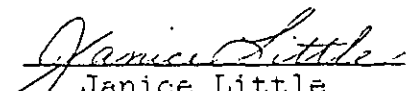
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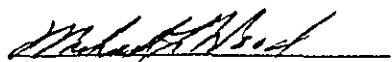
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These regulations are similar those presently in effect on Lake Bruin in Tensas Parish. At one time, all commercial fishing was restricted on this lake and the commercial fish population became a serious problem. A Commercial Fishing Season was initiated and has had beneficial effects on the fish population. This regulation has been favorably accepted on Lake Bruin by both commercial and sport fishermen.

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Submitted by:

  
Janice Little  
Fisheries Biologist

  
Mike Wood  
Fisheries Biologist

**RESOLUTION**  
**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**  
**Fish and Wildlife Values**

**WHEREAS,** Louisiana Revised Statute 56:40.2 requires the Louisiana Wildlife and Fisheries Commission to determine values for injured or destroyed fish, wild birds, wild quadrupeds and other aquatic life, and

**WHEREAS,** the Commission adopted rules establishing guidelines for determination of these values in LAC 76:I.313, and these guidelines include costs that need to be periodically updated

**THEREFORE, BE IT RESOLVED** that the Louisiana Wildlife and Fisheries Commission does hereby give notice of its intent to amend rules and regulations establishing fish and wildlife values to include current information. The Notice of Intent attached to and made a part of this resolution is hereby approved.

**BE IT FURTHER RESOLVED,** that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

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**James H. Jenkins**  
**Chairman**

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**A. Kell McInnis III**  
**Acting Secretary**

#7

NOTICE OF INTENT

DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend and adopt the following monetary values for illegally taken, possessed, injured, or destroyed fish, wild birds, wild quadrupeds, and other wildlife and aquatic life.

TITLE 76

WILDLIFE AND FISHERIES

Part I. Wildlife and Fisheries Commission and Agencies Thereunder

Chapter 3. Special Powers and Duties

Subchapter C. Fish and Wildlife Values

S 315. Fish and Wildlife Values



GAME MAMMALS AND GAME BIRDS	
Deer	\$524.54
Squirrels	\$ 9.75
Rabbits	\$ 16.40
Turkeys	\$802.50
Ducks	\$ 11.70
Geese	\$ 42.01
Coots	\$ 12.53
Gallinules	\$ 4.43
Rails	\$ 28.61
Snipe	\$ 22.42
Quail	\$ 17.37
Woodcock	\$ 29.98
Doves	\$ 9.78

NON-GAME ANIMALS	
Raptors (Birds)	\$ 55.25
Other Birds	\$ 11.05
Frogs	\$ 9.77/lb.
Turtles	\$ 5.91/lb.
Alligator (Skin)	\$ 35.00/ft.
Alligator (Meat)	\$ 2.21/lb.
Nutria	\$ 2.76
Mink	\$ 13.81
Fox	\$ 16.57
Muskrat	\$ 2.21
Raccoon	\$ 5.25
Bobcat	\$ 49.72
Marine Mammals	\$2,210.00
Other Mammals	\$ 11.05

<b>FEDERALLY LISTED THREATENED AND ENDANGERED SPECIES</b>	
Reptiles (Adult or Young)	\$2,762.50/animal
Reptiles (Eggs)	\$2,762.50/violation
Birds (Adult or Young)	\$2,762.50/animal
Birds (Eggs)	\$2,762.50/violation
Mammals	\$2,762.50/animal
Invertebrates	\$2,762.50/violation
Fish	\$2,762.50/animal

<b>SPECIES OF SPECIAL CONCERN</b>	
<b>Fish</b>	
Paddlefish	\$2,762.50/animal
Sturgeon	\$2,762.50/animal
Jewfish	\$2,762.50/animal
<b>Mammals</b>	
Black Bear	\$10,000/animal

ALL FISH NOT LISTED ELSEWHERE IN THIS RULE

	MARINE	FRESHWATER
LENGTH		
INCHES	VALUE	VALUE
1	\$0.35	\$0.19
2	\$0.64	\$0.24
3	\$0.98	\$0.32
4	\$1.33	\$0.48
5	\$1.62	\$0.63
6	\$1.90	\$0.78
7	\$2.24	\$0.91
8	\$2.65	\$1.11
9	\$3.01	\$1.56
10	\$3.32	\$1.88
11	\$4.09	\$2.20
12	\$5.18	\$2.83
13	\$6.32	\$3.47
OVER 13"	\$6.32/lb.	\$3.47/lb.

## RECREATIONAL AND COMMERCIAL FISHES

LENGTH INCHES	RED DRUM	SPOTTED SEATRUT	RED SNAPPER	WHITE TROUT	FLOUNDER	CROAKER	MACKEREL	KING BASS	LARGEMOUTH BASS	BLUEGILL	CRAPPIE
				*							
1	\$0.42	\$0.42	\$0.42	\$0.42	\$0.42	\$0.42	\$0.42	\$0.42	\$0.36	\$0.27	\$0.36
2	\$0.74	\$0.74	\$0.74	\$0.74	\$0.74	\$0.74	\$0.74	\$0.74	\$0.80	\$0.66	\$0.66
3	\$1.13	\$1.13	\$1.13	\$1.13	\$1.13	\$1.13	\$1.13	\$1.13	\$1.04	\$0.84	\$0.84
4	\$1.54	\$1.54	\$1.54	\$1.54	\$1.54	\$1.54	\$1.54	\$1.54	\$1.17	\$0.81	\$0.80
5	\$1.88	\$1.88	\$1.88	\$1.88	\$1.88	\$1.88	\$1.88	\$1.88	\$1.64	\$0.94	\$0.84
6	\$2.20	\$2.20	\$2.20	\$2.20	\$2.20	\$2.20	\$2.20	\$2.20	\$1.78	\$1.37	\$1.37
7	\$3.53	\$2.93	\$2.88	\$2.25	\$3.20	\$2.44	\$9.99	\$2.89	\$4.44	\$1.94	\$1.94
8	\$4.88	\$3.06	\$3.56	\$2.31	\$4.20	\$2.89	\$17.78	\$3.99	\$10.66	\$2.51	\$2.51
9	\$6.18	\$4.38	\$4.23	\$2.36	\$5.21	\$2.93	\$25.56	\$5.09	\$25.63	\$3.08	\$3.08
10	\$7.51	\$5.11	\$4.91	\$2.41	\$6.21	\$3.17	\$33.36	\$6.20	\$28.48	\$3.66	\$3.66
11	\$8.83	\$5.84	\$5.69	\$2.47	\$7.21	\$3.62	\$41.14	\$7.30	\$31.33	\$4.96	\$4.96
12	\$10.16	\$6.57	\$6.27	\$2.52	\$8.21	\$3.87	\$48.93	\$8.40	\$34.18	\$5.70	\$5.70
13	\$11.48	\$7.30	\$6.94	\$2.57	\$9.21	\$4.22	\$56.72	\$9.51	\$37.03	\$6.07	\$6.07
14	\$12.81	\$8.28	\$7.82	\$3.23	\$10.21	\$4.69	\$64.50	\$10.61	\$39.87	\$12.27	\$12.27
15	\$14.14	\$11.80	\$9.12	\$4.05	\$11.05	\$4.97	\$72.29	\$14.36	\$42.72	\$18.62	\$18.62
16	\$15.48	\$14.99	\$10.89	\$5.07	\$11.91	\$5.35	\$80.08	\$18.44	\$45.57	\$22.50	\$22.50
17	\$19.32	\$19.03	\$12.98	\$6.34	\$12.80	\$5.75	\$87.87	\$26.32	\$48.42	\$30.48	\$30.48
18	\$24.13	\$24.14	\$16.38	\$7.82	\$13.71	\$6.18	\$95.65	\$36.84	\$51.27	\$32.26	\$32.26
19	\$30.14	\$30.63	\$18.22	\$9.89	\$14.66	\$6.56	\$103.44	\$48.26		\$34.04	\$34.04
20	\$37.65	\$38.88	\$21.64	\$12.33	\$15.04	\$7.02	\$111.23	\$55.32		\$35.83	\$35.83
21	\$47.04	\$49.30	\$26.43	\$15.37	\$16.06	\$7.47	\$119.02	\$68.43		\$37.63	\$37.63
22	\$56.78	\$62.64	\$29.98	\$19.17	\$17.71	\$7.94	\$126.60	\$92.84		\$39.42	\$39.42
23	\$73.40	\$65.59	\$35.30	\$23.89	\$18.80	\$8.42	\$134.52	\$96.66		\$41.21	\$41.21
24	\$91.70	\$68.88	\$41.62	\$26.11	\$19.94	\$8.92	\$142.36	\$101.07		\$43.00	\$43.00
25	\$114.55	\$71.60	\$48.80	\$28.35	\$21.12	\$9.43	\$150.17	\$105.28			
26	\$143.09	\$74.95	\$57.33	\$27.61	\$22.34	\$9.97	\$157.96	\$109.49			
27	\$148.00	\$78.13	\$67.33	\$28.90	\$23.62	\$10.62	\$165.74	\$113.70			
28	\$154.10	\$81.35	\$70.78	\$30.21	\$24.94		\$173.53	\$117.91			
29	\$159.61	\$84.61	\$74.35	\$31.56			\$181.32	\$122.12			
30	\$165.11	\$87.91	\$78.02	\$32.93			\$189.11	\$126.33			
31	\$170.61	\$91.26	\$81.60	\$34.33			\$196.89	\$130.54			
32	\$176.12	\$94.63	\$85.70				\$204.68	\$134.76			
33	\$181.62		\$89.72				\$212.47	\$138.97			
34	\$187.12		\$93.57				\$220.26	\$143.18			
35	\$192.63		\$98.14				\$228.05	\$147.39			
36	\$198.13		\$102.55				\$235.83	\$151.60			
37	\$203.63		\$107.09				\$243.62				
38	\$209.14		\$111.78				\$251.41				
39	\$214.64		\$116.60				\$259.20				
40	\$220.18		\$121.57				\$266.98				
41	\$225.65		\$126.70				\$274.77				
42	\$231.16		\$131.98				\$282.56				
43	\$236.86						\$290.35				
44	\$242.18						\$297.66				
45	\$247.66						\$305.04				
46	\$253.17						\$312.45				
47	\$258.67						\$319.90				
48	\$264.18						\$327.40				
49	\$269.68						\$334.93				
50	\$275.18						\$342.51				
51	\$280.69						\$350.13				
52	\$286.19						\$357.80				
53							\$365.52				
54							\$373.28				
55							\$381.10				
56							\$388.96				
57							\$396.87				
58							\$404.83				
59							\$412.85				
60							\$420.91				
61							\$429.03				
62							\$437.21				
63							\$445.44				
64							\$453.73				
65							\$462.07				
66							\$470.47				

\* sand seatrout and silver seatrout

COMMERCIAL FISH SPECIES

SPECIES GROUP	VALUE/LB	SPECIES GROUP	VALUE/LB
AMBERJACK	\$0.81	OILFISH	\$0.75
BARRACUDA	\$0.31	OYSTER	\$3.60
BLUEFISH	\$0.30	POMPANO	\$3.44
BLUERUNNER	\$0.33	PORGY	\$0.68
BONITO, ATLANTIC	\$0.39	RAYS	\$0.44
BOWFIN	\$0.13	SAWFISH	\$0.21
BUFFALO	\$0.22	SCAMP	\$1.72
BUTTERFISH	\$0.28	SCULPIN	\$0.80
CARP	\$0.09	SHAD	\$0.09
CATFISH, SEA	\$0.26	SHARK, BLACKTIP	\$0.40
CATFISHES	\$0.60	SHARK, LONGFIN MAKO	\$0.68
COBIA	\$1.11	SHARK, OTHER	\$0.70
CRAB, BLUE	\$0.36	SHARK, SAND TIGER	\$0.13
CRAB, STONE	\$2.27	SHARK, SHORTFIN MAKO	\$0.72
CRAWFISH	\$0.52	SHARK, THRESHER	\$0.32
CREVALLE JACK	\$0.41	SHEEPSHEAD	\$0.22
DOLPHIN (FISH)	\$0.69	SHRIMP	\$1.30
DRIFTFISH	\$0.45	SNAPPER, BLACK	\$0.94
DRUM, BLACK	\$0.40	SNAPPER, BLACKFIN	\$1.01
DRUM, FRESHWATER	\$0.19	SNAPPER, GRAY	\$1.44
EEL, AMERICAN	\$0.65	SNAPPER, LANE	\$1.55
EEL, CONGER	\$0.64	SNAPPER, MAHOGANY	\$1.20
GAG	\$1.91	SNAPPER, OTHER	\$1.26
GAR	\$0.62	SNAPPER, QUEEN	\$1.03
GROUPE, BLACK	\$1.49	SNAPPER, SILK	\$1.28
GROUPE, MISTY	\$1.53	SNAPPER, VERMILLION	\$1.55
GROUPE, NASSAU	\$1.48	SNAPPER, YELLOWTAIL	\$1.48
GROUPE, OTHER	\$1.51	SPADEFISH	\$0.34
GROUPE, SNOWY	\$1.58	SPOT	\$0.30
GROUPE, WARSAW	\$1.27	SQUID	\$0.30
GROUPE, YELLOWEDGE	\$1.61	SWORDFISH	\$2.72
GROUPE, YELLOWFIN	\$1.62	TILEFISH	\$1.33
GRUNTS	\$0.40	TRIGGERFISH	\$0.50
HIND, RED	\$1.41	TRIPLETAIL	\$0.57
HIND, ROCK	\$1.31	TUNA, ALBACORE	\$0.49
HIND, SPECKLED	\$1.42	TUNA, BIGEYE	\$2.87
KINGFISH	\$0.35	TUNA, BLACKFIN	\$0.36
MACKEREL, SPANISH	\$0.30	TUNA, BLUEFIN	\$7.61
MENHADEN	\$0.03	TUNA, OTHER	\$1.75
MULLET	\$0.74	TUNA, SKIPJACK	\$0.76
		TUNA, YELLOWFIN	\$2.26
		WAHOO	\$0.82

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:40.2

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries,  
Wildlife and Fisheries Commission, L.R. 16:39 (January, 1990 ), Amended,  
Wildlife and Fisheries Commission, L.R. 18: ( 1992).

Written comments regarding these amendments may be submitted no later than  
January 10, 1992 and should be submitted to Karen Foote, Administrator, Fisheries  
Research Division, Box 98000, Baton Rouge, LA 70898-9000.

James H. Jenkins, Jr.  
Chairman

D

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedures Act, and in order to establish rules and regulations mandated by R.S. 56:303.7 passed during the 1990 Legislative Session, and to best serve public welfare and interest the Louisiana Wildlife and Fisheries Commission hereby adopts the following rules and regulations effective January 1, 1992:

A "Commercial Fisherman's Sales Card" in lieu of the commercial fisherman's license will be provided to commercial fishermen and will be embossed with the commercial fisherman's name, license number, social security number, the expiration date of the card and the residency status of the fisherman. The "Commercial Fisherman's Sales Card" shall be presented by the commercial fisherman to the wholesale/retail dealer at the time of each sale for purposes of verifying that the seller possesses a current valid commercial fishing license and to allow the dealer to record the pertinent information contained thereon for his required records.

James H. Jenkins, Jr.  
Chairman

RESOLUTION  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD IN BATON ROUGE, NOVEMBER 8, 1991.

WHEREAS, the Louisiana Legislature directed the Louisiana Department of Wildlife and Fisheries to develop rules and regulations governing the harvest of mayhaws on Department owned Wildlife Management Areas, and

WHEREAS, mayhaws are natural, renewable resource and regulations must be established for proper management, and

WHEREAS, the Department has addressed HB976 of the 1991 Legislative Session and developed rules in accordance with the Act, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission on November 8, 1991 does hereby adopt a Notice of Intent that establishes guidelines for the collection of mayhaws, and

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this Notice of Intent and the final rules, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

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James H. Jenkins  
Chairman

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A. Kell McInnis III  
Acting Secretary



## NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to promulgate rules governing the harvest and manner by which mayhaws shall be collected on department owned wildlife management areas.

## Title 56

## Wildlife and Fisheries

## Part III State Game and Fish Preserves Sanctuaries

## Chapter 1. Responsibilities, Duties and Regulation

## Section 107. Collection of Mayhaw Fruit

All persons gathering mayhaw fruit on wildlife management area (WMA) for commercial or home consumption shall abide by the following rules and regulations:

- 1) Every one must abide by all rules and regulations in effect on the WMA.
- 2) Access routes and vehicle use must conform to rules and regulations established for the respective WMA.
- 3) Damage to mayhaw trees (trunk and branch) and surrounding vegetation is prohibited.
- 4) The use of mechanical harvesters, including shakers, is prohibited.
- 5) Mayhaw harvest is prohibited on wildlife management areas when turkey seasons are in progress.
- 6) Persons may only take five gallons per person per day for home consumption. Collecting in excess of five gallons per person per day is

defined as a commercial activity. Anyone wishing to collect in commercial quantities must obtain a permit from the District Office and notify the department as to where collection will take place.

7) If the department deems that collections of mayhaw is detrimental to a specific area then the department may close that portion to all mayhaw collection.

These rules are being implemented to allow for harvesting of the fruit and still protect the resource for future use.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115 and HB 976 of the 1991 Legislature.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 18: (1992).

Persons interested in commenting on the proposed rules may do so publicly at regularly scheduled Commission meeting December - February. Written comments may be submitted until 4:30 p.m., January 15, 1992 to Hugh Bateman, Administrator, Game Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000

James H. Jenkins, Jr.  
Chairman

# State of Louisiana



A. Kell McInnis III  
Acting Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898  
(504) 765-2800

Buddy Roemer  
Governor

November 8, 1991

Dear

Enclosed for your reference are copies of information pertinent to the Civil Restitution Program as follows: legislation authorizing the Wildlife & Fisheries Commission to set values and assess penalties for restitution, a list of those values as published in the Louisiana Register January 20, 1990, and a copy of the Notice of Intent dated November 8, 1991, to update the values which would be effective March 20, 1992.

I would greatly appreciate your assistance in helping to make this program successful by advising violators who have been cited for the illegal taking, possessing, or injuring of fish or wildlife that, in addition to their criminal fines, they may also be liable for civil restitution assessed by this Department.

Should you have any questions regarding this matter, please contact me at (504) 765-2623.

Sincerely,

A. Kell McInnis, III  
Acting Secretary

**SUBPART A-1. CIVIL PENALTIES FOR RESTITUTION OF VALUE OF  
WILDLIFE AND AQUATIC LIFE**

**§ 40.1. Liability for value of fish, wild birds, wild quadrupeds, and other wildlife and aquatic life**

A person who kills, catches, takes, possesses, or injures any fish, wild birds, wild quadrupeds, and other wildlife and aquatic life in violation of this Title, or a regulation adopted pursuant to this Title, or a federal statute or regulation governing fish and wildlife, or who, through the violation of any other state or federal law or regulation, kills or injures any fish, wild birds, wild quadrupeds, and other wildlife and aquatic life, is liable to the state for the value of each fish, wild bird, wild quadruped, and other wildlife and aquatic life, unlawfully killed, caught, taken, possessed, or injured.

Added by Acts 1988, No. 169, § 2.

**§ 40.2. Value of fish, wild birds, wild quadrupeds, and other wildlife and aquatic life**

For purposes of this Subpart, the commission shall adopt rules to establish guidelines for determining the value of injured or destroyed fish, wild birds, wild quadrupeds, and other wildlife and aquatic life and shall determine values for same based upon recommendations of department staff and other relevant factors.

Added by Acts 1988, No. 169, § 2.

**§ 40.3. Civil penalties; assessment; administrative hearing**

A. The commission shall assess civil penalties equivalent to the values of the animals illegally injured, taken, or destroyed.

B. Such penalties shall be assessed after a ruling by the commission or its designated hearing officer based upon a hearing held in accordance with the provisions of the Administrative Procedure Act, at a time and place designated by the commission or its designee; provided that the defendant has the option to waive the adjudicatory hearing upon payment of the penalties assessed by the department.

C. In any adjudicatory hearing in which civil penalties are assessed, the person against whom said penalties are assessed shall also be liable for all costs of the adjudicatory hearing.

D. The secretary may institute civil proceedings to enforce the rulings of the commission in the district court for the Nineteenth Judicial District.

Added by Acts 1988, No. 169, § 2.

**§ 40.4. Civil suit for recovery of value**

The attorney for the department, attorney general, or the district attorney of the parish in which the violation occurred may bring a civil suit under this Subpart in the name of the state to recover civil penalties for the value of each fish, wild bird, wild quadruped, and other wildlife and aquatic life unlawfully killed, caught, taken, possessed, or injured.

Added by Acts 1988, No. 169, § 2.

**§ 40.5. Venue and procedure**

A. A suit for recovery of civil penalties brought under this Subpart may be brought either in the parish of the defendant's domicile or in the parish in which the violation occurred.

B. Either party may appeal from a final judgment of the court as in other civil cases.

Added by Acts 1988, No. 169, § 2.

**§ 40.6. More than one defendant**

If more than one defendant is named in a suit or an adjudicatory proceeding brought under this Subpart, each defendant against whom judgment is rendered is jointly and severally liable for the recovery provided by this Subpart.

Added by Acts 1988, No. 169, § 2.

**§ 40.7. Recovery of value in addition to fine**

The recovery amount provided by this Subpart is in addition to any fine, forfeiture, other penalty, or costs imposed under any other provision of law.

Added by Acts 1988, No. 169, § 2.

**§ 40.8. Both civil suit and criminal prosecution permissible**

The pendency or determination of a suit brought under this Subpart or the pendency or determination of a criminal prosecution for the same killing, catching, taking, possession, or injury does not bar the other action; provided that civil restitution paid pursuant to the provisions of Article 895.2 of the Code of Criminal Procedure shall act as a bar to an assessment of civil penalties or a civil action to recover penalties under this Subpart.

Added by Acts 1988, No. 169, § 2.

**§ 40.9. Disposition of recovery**

A. Any recovery of civil penalties for injury to fish, wild birds, wild quadrupeds, and other wildlife and aquatic life shall be immediately deposited to the credit of the conservation fund of the Department of Wildlife and Fisheries.

B. In any civil action brought by the district attorney pursuant to R.S. 56:40.4, the office of the district attorney shall receive forty percent of the amount collected.

Added by Acts 1988, No. 169, § 2.

determined by population surveys by department personnel. An alligator hunter can receive tags for and hunt on only one public lake each season. The tag quota for a public lake is five per hunter. Alligator tags issued on public lakes are non-transferable.

Applicants for public lake hunting must be 16 years of age or older. Applications for public lake hunting must be received at least 10 days prior to the season opening date. In the event that the number of applicants for any particular public lake exceeds the number of allowable hunters, a public drawing will be held to select hunters. Only the applicants whose names are drawn will be eligible to hunt public lakes.

13. Harvest Rates — Harvest rates are presently being calculated and will be determined by biologists of the Fur and Refuge Division. Aerial nest counts and night count surveys will be completed on July 15, 1989. This data will be analyzed, harvest rates calculated, and alligator tag allotments will be presented to department/commission administrators for their consideration.

14. The department secretary shall be authorized to close, extend or reopen the alligator season as biologically justifiable; harvest rates will be approved when available by the department secretary.

Warren Pol  
Chairman

#### **RULE**

#### **Department of Wildlife and Fisheries Wildlife and Fisheries Commission**

#### **Title 76**

#### **WILDLIFE AND FISHERIES**

#### **Part VII. Fish and Other Aquatic Life**

#### **Chapter 1. Freshwater Sport and Commercial Fishing**

#### **§123. Black Bass**

The Louisiana Wildlife and Fisheries Commission hereby establishes a minimum size of 16 inches total length and a daily take and possession limit of five fish for black bass in Chicot Lake, Evangeline Parish, Louisiana. This rule will become effective January 1, 1990.

Authority for adoption of this rule is included in Louisiana Revised Statutes, Title 56, Section 325(C).

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:325(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 14:364 (June 1988). LR 16: (January 1990).

Warren Pol  
Chairman

#### **RULE**

#### **Department of Wildlife and Fisheries Wildlife and Fisheries Commission**

The Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations to preserve the

confidentiality of any data, information or statistics submitted or collected pursuant to Section 345 of Title 56 of the Louisiana Revised Statutes:

#### **Title 76**

#### **WILDLIFE AND FISHERIES**

#### **Part I. Wildlife and Fisheries Commission, and Agencies Thereunder**

#### **Chapter 3. Special Powers and Duties**

#### **Subchapter F. Confidential Fishing Data**

#### **§319. Confidentiality of Commercial Landings Data**

CONFIDENTIALITY. All data collected or otherwise obtained by personnel or contractors of the Louisiana Department of Wildlife and Fisheries or members of the Wildlife and Fisheries Commission in the course of their duties and other landings data collected by personnel or contractors of the Louisiana Department of Wildlife and Fisheries or members of the Wildlife and Fisheries Commission are confidential and are not to be divulged, except in aggregate form, to any person except employees or contractors of the Louisiana Department of Wildlife and Fisheries or members of the Wildlife and Fisheries Commission or the National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NOAA/NMFS) whose duties require this information, except as permitted by law or court order. Aggregate form, with respect to data shall mean data or information submitted by three or more persons that have been summed or assembled in such a manner so as not to reveal, directly or indirectly, the identity or business of any such person. Neither employees or contractors of the Louisiana Department of Wildlife and Fisheries nor members of the Wildlife and Fisheries Commission will voluntarily release confidential information to another person, firm, or state or federal agencies, except NOAA/NMFS as stated above, and to the extent possible, will oppose other agency and congressional subpoenas to obtain confidential information. Neither the Louisiana Department of Wildlife and Fisheries nor its contractors nor members of the Wildlife and Fisheries Commission will disclose confidential statistics under court order without specific approval by the State Attorney General's Office. Employees or contractors of the Louisiana Department of Wildlife and Fisheries or members of the Wildlife and Fisheries Commission who have access to confidential statistics shall be subject to the provisions and penalties for unauthorized disclosure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:435.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16: (January 1990).

Warren Pol  
Chairman

#### **RULE**

#### **Department of Wildlife and Fisheries Wildlife and Fisheries Commission**

The Louisiana Wildlife and Fisheries Commission adopted monetary values to be assigned to illegally taken, possessed, injured, or destroyed fish, wild birds, wild quadrupeds, and other wildlife and aquatic life as follows.

# Title 76

## WILDLIFE AND FISHERIES

### Part I. Wildlife and Fisheries Commission and Agencies

#### Thereunder

#### Chapter 3. Special Powers and Duties

#### Subchapter C. Fish and Wildlife Values

#### §315. Fish and Wildlife Values

The Wildlife and Fisheries Commission hereby adopts the following values for illegally taken, possessed, injured, or destroyed fish, wild birds, wild quadrupeds, and other wildlife and aquatic life.

#### Game Mammals and Game Birds

Deer	\$474.70
Squirrels	\$8.82
Rabbits	\$14.84
Turkeys	\$726.24
Ducks	\$10.59
Geese	\$38.02
Coots	\$11.34
Gallinules	\$4.01
Rails	\$25.89
Snipe	\$20.29
Quail	\$15.72
Woodcock	\$27.13
Doves	\$8.85

#### Non-Game Animals

Raptors (Birds)	\$50.00
Other Birds	\$10.00
Frogs	\$8.84/lb
Turtles	\$5.35/lb
Alligator (Skin)	\$45.00/ft
Alligator (Meat)	\$2.00/lb
Nutria	\$2.50
Mink	\$12.50
Fox	\$15.00
Muskrat	\$2.00
Raccoon	\$5.00
Bobcat	\$45.00
Black Bear	\$2,000.00
Marine Mammals	\$2,000.00
Other Mammals	\$10.00

#### Threatened and Endangered Species

Reptiles (Adult or Young)	\$2,500/animal
Reptiles (Eggs)	\$2,500/violation
Birds (Adult or Young)	\$2,500/animal
Birds (Eggs)	\$2,500/violation
Mammals	\$2,500/animal
Invertebrates	\$2,500/violation

#### Species of Special Concern

Paddlefish	\$2,500/animal
Sturgeon	\$2,500/animal

## All Non-Commercial/Non-Sport Fish

Marine		Fresh-Water	
Length Inches	Value	Length Inches	Value
1	\$0.32	1	\$0.17
2	\$0.58	2	\$0.22
3	\$0.89	3	\$0.29
4	\$1.20	4	\$0.43
5	\$1.47	5	\$0.57
6	\$1.72	6	\$0.71
7	\$2.03	7	\$0.82
8	\$2.40	8	\$1.00
9	\$2.72	9	\$1.41
10	\$3.00	10	\$1.70
11	\$3.70	11	\$1.99
12	\$4.69	12	\$2.56
13	\$5.72	13	\$3.14
Over 13	\$5.72/lb	Over 13	\$3.14/lb

#### Recreation and Commercial Fishes

Inch	Red fish	Speckled Trout	Red Stripper	White Trout	Flounder	Croaker	King Mackerel	L. Mouth Bass	Blue Gill	Carp
1	\$0.37	\$0.37	\$0.37	\$0.37	\$0.37	\$0.37	\$0.37	\$0.31	\$0.25	\$0.31
2	\$0.66	\$0.66	\$0.66	\$0.66	\$0.66	\$0.66	\$0.66	\$0.72	\$0.50	\$0.52
3	\$1.02	\$1.02	\$1.02	\$1.02	\$1.02	\$1.02	\$1.02	\$0.93	\$0.58	\$0.52
4	\$1.38	\$1.38	\$1.38	\$1.38	\$1.38	\$1.38	\$1.38	\$1.05	\$0.73	\$0.72
5	\$1.69	\$1.69	\$1.69	\$1.69	\$1.69	\$1.69	\$1.69	\$1.38	\$0.85	\$0.78
6	\$1.98	\$1.98	\$1.98	\$1.98	\$1.98	\$2.20	\$1.98	\$1.60	\$1.23	\$1.23
7	\$3.17	\$2.64	\$2.61	\$2.03	\$2.42	\$2.42	\$2.42	\$2.60	\$3.99	\$1.74
8	\$4.36	\$3.30	\$3.24	\$2.08	\$2.86	\$2.86	\$10.23	\$3.59	\$9.59	\$2.26
9	\$5.56	\$3.96	\$3.87	\$2.14	\$3.31	\$2.86	\$14.35	\$4.58	\$23.05	\$2.77
10	\$6.75	\$4.62	\$4.50	\$2.19	\$3.75	\$3.17	\$18.48	\$5.57	\$25.61	\$3.29
11	\$7.94	\$5.28	\$5.13	\$2.24	\$4.19	\$3.49	\$22.60	\$6.56	\$28.17	\$4.45
12	\$9.13	\$5.94	\$5.78	\$2.29	\$4.63	\$3.82	\$26.72	\$7.56	\$30.73	\$5.02
13	\$10.33	\$6.60	\$6.39	\$2.34	\$5.07	\$4.16	\$30.85	\$8.55	\$33.29	\$5.15
14	\$11.52	\$7.26	\$7.02	\$2.39	\$5.52	\$4.50	\$34.97	\$9.54	\$35.85	\$11.04
15	\$12.71	\$7.92	\$7.67	\$2.44	\$5.96	\$4.85	\$39.10	\$10.53	\$38.41	\$14.94
16	\$13.90	\$8.58	\$8.31	\$2.49	\$6.40	\$5.23	\$43.22	\$11.52	\$40.98	\$20.23
17	\$15.09	\$9.24	\$8.95	\$2.54	\$6.84	\$5.60	\$47.34	\$12.51	\$43.54	\$27.39
18	\$16.28	\$9.90	\$9.59	\$2.59	\$7.28	\$6.00	\$51.47	\$13.50	\$46.10	\$29.00
19	\$17.47	\$10.56	\$10.23	\$2.64	\$7.72	\$6.40	\$55.59	\$14.49	\$48.66	\$30.61
20	\$18.66	\$11.22	\$10.87	\$2.69	\$8.16	\$6.82	\$59.72	\$15.48	\$51.22	\$32.22
21	\$19.85	\$11.88	\$11.52	\$2.74	\$8.60	\$7.26	\$63.84	\$16.47	\$53.81	\$33.83
22	\$21.04	\$12.54	\$12.17	\$2.79	\$9.04	\$7.71	\$67.97	\$17.46	\$56.44	\$35.44
23	\$22.23	\$13.20	\$12.81	\$2.84	\$9.48	\$8.17	\$72.09	\$18.45	\$59.07	\$37.05
24	\$23.42	\$13.86	\$13.45	\$2.89	\$9.92	\$8.66	\$76.21	\$19.44	\$61.66	\$38.66
25	\$24.61	\$14.52	\$14.09	\$2.94	\$10.36	\$9.16	\$80.34	\$20.43	\$64.25	
26	\$25.80	\$15.18	\$14.73	\$2.99	\$10.80	\$9.69	\$84.46	\$21.42	\$66.84	
27	\$26.99	\$15.84	\$15.37	\$3.04	\$11.24	\$10.23	\$88.59	\$22.41	\$69.43	
28	\$28.18	\$16.50	\$16.01	\$3.09	\$11.68	\$10.77	\$92.71	\$23.40	\$72.02	
29	\$29.37	\$17.16	\$16.65	\$3.14	\$12.12	\$11.30	\$96.83	\$24.39	\$74.61	
30	\$30.56	\$17.82	\$17.29	\$3.19	\$12.56	\$11.83	\$100.96	\$25.38	\$77.20	
31	\$31.75	\$18.48	\$17.93	\$3.24	\$13.00	\$12.37	\$105.08	\$26.37	\$79.79	
32	\$32.94	\$19.14	\$18.57	\$3.29	\$13.44	\$12.90	\$109.21	\$27.36	\$82.38	
33	\$34.13	\$19.80	\$19.21	\$3.34	\$13.88	\$13.43	\$113.33	\$28.35	\$84.97	
34	\$35.32	\$20.46	\$19.85	\$3.39	\$14.32	\$13.96	\$117.45	\$29.34	\$87.56	
35	\$36.51	\$21.12	\$20.49	\$3.44	\$14.76	\$14.49	\$121.58	\$30.33	\$90.15	
36	\$37.70	\$21.78	\$21.13	\$3.49	\$15.20	\$15.02	\$125.70	\$31.32	\$92.74	
37	\$38.89	\$22.44	\$21.77	\$3.54	\$15.64	\$15.55	\$129.83	\$32.31	\$95.33	
38	\$40.08	\$23.10	\$22.41	\$3.59	\$16.08		\$133.95	\$33.30	\$97.92	
39	\$41.27	\$23.76	\$23.05	\$3.64	\$16.52		\$138.08	\$34.29	\$100.51	
40	\$42.46	\$24.42	\$23.69	\$3.69	\$16.96		\$142.20	\$35.28	\$103.10	
41	\$43.65	\$25.08	\$24.33	\$3.74	\$17.40		\$146.32	\$36.27	\$105.69	
42	\$44.84	\$25.74	\$24.97	\$3.79	\$17.84		\$150.45	\$37.26	\$108.28	
43	\$46.03	\$26.40	\$25.61	\$3.84	\$18.28		\$154.57	\$38.25	\$110.87	
44	\$47.22	\$27.06	\$26.25	\$3.89	\$18.72		\$158.70	\$39.24	\$113.46	
45	\$48.41	\$27.72	\$26.89	\$3.94	\$19.16		\$162.82	\$40.23	\$116.05	
46	\$49.60	\$28.38	\$27.53	\$3.99	\$19.60		\$166.95	\$41.22	\$118.64	
47	\$50.79	\$29.04	\$28.17	\$4.04	\$20.04		\$171.07	\$42.21	\$121.23	
48	\$51.98	\$29.70	\$28.81	\$4.09	\$20.48		\$175.20	\$43.20	\$123.82	
49	\$53.17	\$30.36	\$29.45	\$4.14	\$20.92		\$179.32	\$44.19	\$126.41	
50	\$54.36	\$31.02	\$30.09	\$4.19	\$21.36		\$183.45	\$45.18	\$129.00	
51	\$55.55	\$31.68	\$30.73	\$4.24	\$21.80		\$187.57	\$46.17	\$131.59	
52	\$56.74	\$32.34	\$31.37	\$4.29	\$22.24		\$191.70	\$47.16	\$134.18	
53	\$57.93	\$33.00	\$32.01	\$4.34	\$22.68		\$195.82	\$48.15	\$136.77	
54	\$59.12	\$33.66	\$32.65	\$4.39	\$23.12		\$200.00	\$49.14	\$139.36	
55	\$60.31	\$34.32	\$33.29	\$4.44	\$23.56		\$204.12	\$50.13	\$141.95	
56	\$61.50	\$34.98	\$33.93	\$4.49	\$24.00		\$208.25	\$51.12	\$144.54	
57	\$62.69	\$35.64	\$34.57	\$4.54	\$24.44		\$212.37	\$52.11	\$147.13	
58	\$63.88	\$36.30	\$35.21	\$4.59	\$24.88		\$216.50	\$53.10	\$149.72	
59	\$65.07	\$36.96	\$35.85	\$4.64	\$25.32		\$220.62	\$54.09	\$152.31	
60	\$66.26	\$37.62	\$36.49	\$4.69	\$25.76		\$224.75	\$55.08	\$154.90	
61	\$67.45	\$38.28	\$37.13	\$4.74	\$26.20		\$228.87	\$56.07	\$157.49	
62	\$68.64	\$38.94	\$37.77	\$4.79	\$26.64		\$233.00	\$57.06	\$160.08	
63	\$69.83	\$39.60	\$38.41	\$4.84	\$27.08		\$237.12	\$58.05	\$162.67	
64	\$71.02	\$40.26	\$39.05	\$4.89	\$27.52		\$241.25	\$59.04	\$165.26	
65	\$72.21	\$40.92	\$39.69	\$4.94	\$27.96		\$245.37	\$60.03	\$167.85	
66	\$73.40	\$41.58	\$40.33	\$4.99	\$28.40		\$249.50	\$61.02	\$170.44	

# Commercial Fish Species

Species Group	Value \$/lb	Species Group	Value \$/lb
Menhaden	\$0.05	Shrimp	\$1.46
Crab, Blue	\$0.41	Crawfish	\$0.44
Oyster	\$2.35	Tuna, Yellowfin	\$1.52
Drum, Black	\$0.27	Califishes	\$0.48
Buffalofish	\$0.18	Shark	\$0.44
Mullet, Black	\$0.64	Sheepshead	\$0.18
Carp	\$0.09	King Whiting	\$0.30
Swordfish	\$3.10	Sheepshead, Freshwater	\$0.19
Garfish	\$0.45	Amberjack	\$0.58
Snapper, Vermillion	\$1.53	Wahoo	\$0.85
Sea Catfish	\$0.13	Grouper & Scamp	\$1.65
Butterfish	\$0.42	Shark, Black Tip	\$0.32
Tilefish	\$1.18	Tuna, Bluefin	\$13.65
Warsaw	\$1.19	Dolphinfish	\$0.83
Grouper, Yelloweye	\$1.73	Shark, Bonito	\$0.72
Grouper, Yellowfin	\$1.71	Scamp	\$1.89
Grouper, Black	\$1.80	Tuna, Other	\$0.41
Scup or porgy	\$1.12	Pompano	\$3.11
Cabio	\$0.84	Tuna, Blackfin	\$0.38
Bluerunner	\$0.36	Triggerfish	\$0.74
Shark, Thrasher	\$0.39	Grouper, Snowy	\$1.74
Shad	\$0.18	Spanish Mackerel	\$0.30
Tuna, Bigeye	\$2.30	Bearded Brouta	\$0.68
Snapper, Queen	\$1.35	Snapper, Silk	\$1.51
Bluefish	\$0.27	Grouper, Marble	\$1.34
Grouper, Gag	\$1.82	Shark, Longfin Mako	\$1.00
Bowfin	\$0.14	Snapper, Other	\$1.69
Snapper, Black	\$1.44	Crab, Stone	\$2.00
Tuna, Albacore	\$0.74	Sculpin	\$1.04
Bonito	\$0.29	Jewfish	\$0.91
Squid	\$0.34	Eel, Common	\$0.47
Shark, Tiger	\$0.35	Snapper, Lane	\$1.97
Spot	\$0.31	Snapper, Mangrove	\$1.18
Tripletail	\$0.55	Driftfish, Black	\$1.11
Hind, Speckled	\$1.36	Grouper, Other	\$0.71
Shark, Sandbar	\$0.27	Marlin, White	\$0.80
Snapper, Blackfin	\$1.21	Marlin, Blue	\$0.82
Hinds, Other	\$1.32	Hake	\$0.47
Rudderfish	\$0.59	Spearfish	\$0.75
Shrimp, Freshwater	\$0.86	Sailfish	\$0.95
Snapper, Yellowtail	\$0.79	Grouper, Red	\$1.53
Hind, Rock	\$1.31	Creville Jack	\$0.11
Snapper, Gray	\$0.90	Shark, Blue	\$0.22
Tuna, Skipjack	\$1.35	Shark, Hammerhead	\$0.31
Skates	\$0.43	Shark, Sand Tiger	\$0.34
Snapper, Mahogany	\$1.42	Grunts	\$0.33
Rays	\$0.31	Shark, Dogfish	\$0.90
Oilfish	\$0.75	Sawfish	\$0.20
Baracuda	\$0.29	Shark, White	\$0.43
Sea Bass, Atlantic	\$0.89	Grouper, Yellowmouth	\$1.83
Porgy, Red	\$0.86	Hind, Red	\$1.29
Shark, Soupfin	\$0.30	Moonfish	\$0.08
Permit	\$0.90	Marlin, Black	\$0.94
Grouper, Nassau	\$1.24	Sardine, Pacific	\$0.28
Spadefish	\$0.20	Eel, Conger	\$0.43
Filefish	\$0.20	Blackfish, Sacramento	\$0.29
Eel, Moray	\$1.00	Wenchman	\$0.44
Snapper, Mutton	\$0.35		

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:40.2.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16: (January 1990).

Warren Pol  
Chairman

# RULE

## Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Department of Wildlife and Fisheries does hereby establish the 1989-90 furbearer trapping season for the south zone as being December 1, 1989 through February 28, 1990. After carefully considering the market situation for some upland species especially the raccoon, the department, in an attempt to provide more opportunity for trapping of bobcat and fox after deer hunting seasons are closed, does hereby establish the 1989-90 furbearer trapping season for the north zone as November 20, 1989 through February 15, 1990, with the addition of an experimental season from February 16, 1990 through March 15, 1990, with trapping techniques restricted to the use of Soft-Catch traps (padded jaw traps) or their equivalent. The department secretary shall be authorized to close or extend the trapping season in any portion of the state as biologically justifiable.

Federal restrictions imposed by the CITES Scientific Authority for otter and bobcat furs continue to require placement of an export tag prior to out-of-state shipment.

CITATION: None - Changes Annually

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:260.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16: (January 1990).

Warren Pol  
Chairman

# Notices of Intent

## NOTICE OF INTENT

### Department of Civil Service

The State Civil Service Commission will hold a public hearing on Wednesday, February 7, 1990 to consider the following Rule proposal. The public hearing will begin at 8 a.m. in the Second Floor Commission Hearing Room, DOTD Annex Building, 1201 Capitol Access Road, Baton Rouge, LA.

Consideration will be given to the following:

#### PROPOSAL TO ADOPT RULE 6.5.1

6.5.1 Pay Upon Appointment From a Department Preferred Reemployment List.

Subject to Rule 6.14, the pay of a person appointed from a department preferred reemployment list may be fixed no higher than his rate of pay at the time of the layoff or displacement action, or at his current rate if such rate is higher based on other provisions of these Rules. In no case shall the rate of pay

#7

NOTICE OF INTENT

DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend and adopt the following monetary values for illegally taken, possessed, injured, or destroyed fish, wild birds, wild quadrupeds, and other wildlife and aquatic life.

TITLE 76

WILDLIFE AND FISHERIES

Part I. Wildlife and Fisheries Commission and Agencies Thereunder

Chapter 3. Special Powers and Duties

Subchapter C. Fish and Wildlife Values

S 315. Fish and Wildlife Values



<b>GAME MAMMALS AND GAME BIRDS</b>	
Deer	\$524.54
Squirrels	\$ 9.75
Rabbits	\$ 16.40
Turkeys	\$802.50
Ducks	\$ 11.70
Geese	\$ 42.01
Coots	\$ 12.53
Gallinules	\$ 4.43
Rails	\$ 28.61
Snipe	\$ 22.42
Quail	\$ 17.37
Woodcock	\$ 29.98
Doves	\$ 9.78

<b>NON-GAME ANIMALS</b>	
Raptors (Birds)	\$ 55.25
Other Birds	\$ 11.05
Frogs	\$ 9.77/lb.
Turtles	\$ 5.91/lb.
Alligator (Skin)	\$ 35.00/ft.
Alligator (Meat)	\$ 2.21/lb.
Nutria	\$ 2.76
Mink	\$ 13.81
Fox	\$ 16.57
Muskrat	\$ 2.21
Raccoon	\$ 5.25
Bobcat	\$ 49.72
Marine Mammals	\$2,210.00
Other Mammals	\$ 11.05

<b>FEDERALLY LISTED THREATENED AND ENDANGERED SPECIES</b>	
Reptiles (Adult or Young)	\$2,762.50/animal
Reptiles (Eggs)	\$2,762.50/violation
Birds (Adult or Young)	\$2,762.50/animal
Birds (Eggs)	\$2,762.50/violation
Mammals	\$2,762.50/animal
Invertebrates	\$2,762.50/violation
Fish	\$2,762.50/animal

<b>SPECIES OF SPECIAL CONCERN</b>	
<b>Fish</b>	
Paddlefish	\$2,762.50/animal
Sturgeon	\$2,762.50/animal
Jewfish	\$2,762.50/animal
<b>Mammals</b>	
Black Bear	\$10,000/animal

ALL FISH NOT LISTED ELSEWHERE IN THIS RULE

	MARINE	FRESHWATER
LENGTH		
INCHES	VALUE	VALUE
1	\$0.35	\$0.19
2	\$0.64	\$0.24
3	\$0.98	\$0.32
4	\$1.33	\$0.48
5	\$1.62	\$0.63
6	\$1.90	\$0.78
7	\$2.24	\$0.91
8	\$2.65	\$1.11
9	\$3.01	\$1.56
10	\$3.32	\$1.88
11	\$4.09	\$2.20
12	\$5.18	\$2.83
13	\$6.32	\$3.47
OVER 13"	\$6.32/lb.	\$3.47/lb.

## RECREATIONAL AND COMMERCIAL FISHES

LENGTH INCHES	RED DRUM	SPOTTED SEATRUT	RED SNAPPER	WHITE TROUT	FLOUNDER	CROAKER	KING MACKEREL	LARGEMOUTH BASS	BLUEGILL	CRAPPIE
				*						
1	\$0.42	\$0.42	\$0.42	\$0.42	\$0.42	\$0.42	\$0.42	\$0.35	\$0.27	\$0.35
2	\$0.74	\$0.74	\$0.74	\$0.74	\$0.74	\$0.74	\$0.74	\$0.80	\$0.58	\$0.58
3	\$1.13	\$1.13	\$1.13	\$1.13	\$1.13	\$1.13	\$1.13	\$1.04	\$0.64	\$0.68
4	\$1.54	\$1.54	\$1.54	\$1.54	\$1.54	\$1.54	\$1.54	\$1.17	\$0.81	\$0.80
5	\$1.88	\$1.88	\$1.88	\$1.88	\$1.88	\$1.88	\$1.88	\$1.54	\$0.94	\$0.84
6	\$2.20	\$2.20	\$2.20	\$2.20	\$2.20	\$2.20	\$2.20	\$1.78	\$1.37	\$1.37
7	\$3.63	\$2.93	\$2.88	\$2.25	\$3.20	\$2.44	\$0.99	\$2.89	\$4.44	\$1.94
8	\$4.85	\$3.68	\$3.58	\$2.31	\$4.20	\$2.09	\$17.78	\$3.99	\$10.68	\$2.81
9	\$6.18	\$4.38	\$4.23	\$2.36	\$5.21	\$2.93	\$25.50	\$5.09	\$25.83	\$3.08
10	\$7.51	\$5.11	\$4.91	\$2.41	\$6.21	\$3.17	\$33.35	\$6.20	\$28.48	\$3.65
11	\$8.83	\$5.84	\$5.59	\$2.47	\$7.21	\$3.62	\$41.14	\$7.30	\$31.30	\$4.95
12	\$10.16	\$6.57	\$6.27	\$2.52	\$8.21	\$3.87	\$48.93	\$8.40	\$34.18	\$5.70
13	\$11.48	\$7.30	\$6.94	\$2.57	\$9.21	\$4.22	\$56.72	\$9.51	\$37.03	\$6.07
14	\$12.81	\$8.26	\$7.82	\$3.23	\$10.21	\$4.59	\$64.50	\$10.61	\$39.87	\$12.27
15	\$14.14	\$11.80	\$9.12	\$4.05	\$11.05	\$4.97	\$72.29	\$14.36	\$42.72	\$16.82
16	\$15.46	\$14.09	\$10.89	\$5.07	\$11.91	\$5.35	\$80.08	\$19.44	\$45.57	\$22.50
17	\$19.32	\$19.03	\$12.98	\$6.34	\$12.80	\$5.75	\$87.87	\$26.32	\$48.42	\$30.48
18	\$24.13	\$24.14	\$15.38	\$7.92	\$13.71	\$6.16	\$95.65	\$35.64	\$51.27	\$32.25
19	\$30.14	\$30.83	\$18.22	\$9.89	\$14.65	\$6.58	\$103.44	\$48.25		\$34.84
20	\$37.65	\$36.88	\$21.54	\$12.33	\$15.64	\$7.02	\$111.23	\$65.32		\$35.83
21	\$47.04	\$49.30	\$25.43	\$15.37	\$16.66	\$7.47	\$119.02	\$88.43		\$37.83
22	\$56.78	\$52.54	\$29.98	\$19.17	\$17.71	\$7.94	\$126.80	\$92.84		\$39.42
23	\$73.40	\$65.59	\$35.30	\$23.69	\$18.80	\$8.42	\$134.53	\$96.58		\$41.21
24	\$91.70	\$68.68	\$41.82	\$25.11	\$19.94	\$8.92	\$142.38	\$101.07		\$43.00
25	\$114.55	\$71.80	\$48.60	\$26.35	\$21.12	\$9.43	\$150.17	\$105.28		
26	\$143.09	\$74.95	\$57.33	\$27.61	\$22.34	\$9.97	\$157.96	\$109.49		
27	\$148.80	\$78.13	\$67.33	\$28.90	\$23.62	\$10.52	\$165.74	\$113.70		
28	\$164.10	\$81.35	\$70.78	\$30.21	\$24.94		\$173.53	\$117.91		
29	\$159.81	\$84.81	\$74.35	\$31.56			\$181.32	\$122.12		
30	\$165.11	\$87.91	\$78.02	\$32.93			\$189.11	\$126.33		
31	\$170.61	\$91.26	\$81.80	\$34.33			\$196.89	\$130.54		
32	\$176.12	\$94.63	\$85.70				\$204.68	\$134.75		
33	\$181.82		\$89.72				\$212.47	\$138.97		
34	\$187.12		\$93.87				\$220.26	\$143.18		
35	\$192.83		\$98.14				\$228.05	\$147.39		
36	\$198.13		\$102.55				\$235.83	\$151.60		
37	\$203.83		\$107.09				\$243.62			
38	\$209.14		\$111.78				\$251.41			
39	\$214.64		\$116.60				\$259.20			
40	\$220.15		\$121.67				\$266.98			
41	\$225.65		\$126.70				\$274.77			
42	\$231.15		\$131.98				\$282.56			
43	\$236.65						\$290.35			
44	\$242.15						\$297.68			
45	\$247.65						\$305.04			
46	\$253.17						\$312.45			
47	\$258.67						\$319.80			
48	\$264.18						\$327.40			
49	\$269.68						\$334.93			
50	\$275.18						\$342.81			
51	\$280.69						\$350.13			
52	\$286.19						\$357.80			
53							\$365.52			
54							\$373.28			
55							\$381.10			
56							\$388.96			
57							\$396.87			
58							\$404.83			
59							\$412.85			
60							\$420.91			
61							\$428.03			
62							\$437.21			
63							\$445.44			
64							\$453.73			
65							\$462.07			
66							\$470.47			

\* sand seatrout and silver seatrout

COMMERCIAL FISH SPECIES

SPECIES GROUP	VALUE/LB	SPECIES GROUP	VALUE/LB
AMBERJACK	\$0.81	OILFISH	\$0.75
BARRACUDA	\$0.31	OYSTER	\$3.60
BLUEFISH	\$0.30	POMPANO	\$3.44
BLUERUNNER	\$0.33	PORGY	\$0.68
BONITO, ATLANTIC	\$0.39	RAYS	\$0.44
BOWFIN	\$0.13	SAWFISH	\$0.21
BUFFALO	\$0.22	SCAMP	\$1.72
BUTTERFISH	\$0.28	SCULPIN	\$0.80
CARP	\$0.09	SHAD	\$0.09
CATFISH, SEA	\$0.26	SHARK, BLACKTIP	\$0.40
CATFISHES	\$0.60	SHARK, LONGFIN MAKO	\$0.68
COBIA	\$1.11	SHARK, OTHER	\$0.70
CRAB, BLUE	\$0.36	SHARK, SAND TIGER	\$0.13
CRAB, STONE	\$2.27	SHARK, SHORTFIN MAKO	\$0.72
CRAWFISH	\$0.52	SHARK, THRESHER	\$0.32
CREVALLE JACK	\$0.41	SHEEPSHEAD	\$0.22
DOLPHIN (FISH)	\$0.69	SHRIMP	\$1.30
DRIFTFISH	\$0.45	SNAPPER, BLACK	\$0.94
DRUM, BLACK	\$0.40	SNAPPER, BLACKFIN	\$1.01
DRUM, FRESHWATER	\$0.19	SNAPPER, GRAY	\$1.44
EEL, AMERICAN	\$0.65	SNAPPER, LANE	\$1.55
EEL, CONGER	\$0.64	SNAPPER, MAHOGANY	\$1.20
GAG	\$1.91	SNAPPER, OTHER	\$1.26
GAR	\$0.62	SNAPPER, QUEEN	\$1.03
GROUPE, BLACK	\$1.49	SNAPPER, SILK	\$1.28
GROUPE, MISTY	\$1.53	SNAPPER, VERMILLION	\$1.55
GROUPE, NASSAU	\$1.48	SNAPPER, YELLOWTAIL	\$1.48
GROUPE, OTHER	\$1.51	SPADEFISH	\$0.34
GROUPE, SNOWY	\$1.58	SPOT	\$0.30
GROUPE, WARSAW	\$1.27	SQUID	\$0.30
GROUPE, YELLOWEDGE	\$1.61	SWORDFISH	\$2.72
GROUPE, YELLOWFIN	\$1.62	TILEFISH	\$1.33
GRUNTS	\$0.40	TRIGGERFISH	\$0.50
HIND, RED	\$1.41	TRIPLETAIL	\$0.57
HIND, ROCK	\$1.31	TUNA, ALBACORE	\$0.49
HIND, SPECKLED	\$1.42	TUNA, BIGEYE	\$2.87
KINGFISH	\$0.35	TUNA, BLACKFIN	\$0.36
MACKEREL, SPANISH	\$0.30	TUNA, BLUEFIN	\$7.61
MENHADEN	\$0.03	TUNA, OTHER	\$1.75
MULLET	\$0.74	TUNA, SKIPJACK	\$0.76
		TUNA, YELLOWFIN	\$2.26
		WAHOO	\$0.82

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:40.2

**HISTORICAL NOTE:** Promulgated by the Department of Wildlife and Fisheries,  
Wildlife and Fisheries Commission, L.R. 16:39 (January, 1990 ), Amended,  
Wildlife and Fisheries Commission, L.R. 18: ( 1992).

Written comments regarding these amendments may be submitted no later than  
January 10, 1992 and should be submitted to Karen Foote, Administrator, Fisheries  
Research Division, Box 98000, Baton Rouge, LA 70898-9000.

James H. Jenkins, Jr.  
Chairman

**ENFORCEMENT CASE REPORT**

**OCTOBER, 1991**

**ENFORCEMENT CASE REPORT-OCTOBER 1991**

**REGION I**

**TOTAL CASES-117**

**ENFORCEMENT-99**

**OTHER - 8**

14-Boating

9-Angling W/O A License

17-Fish W/O Resident Pole Lic.

2-Take Game Fish Illegally

12-Take Illegal Size Black Bass

3-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's Lic.

1-Transport W/O Required Lic.

2-Take Or Poss. Undersize Commercial Fish

15-Hunting W/O Resident Lic.

3-Bow Hunt W/O Bow Lic.

1-Failure To Abide By Commission Rules

4-Hunting From Moving Vehicle And/Or Aircraft

8-Hunting W/Unplugged Gun Or Silencer

4-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way

1-Poss. Of Buckshot During Closed Deer Season

1-Take And/Or Possess O/L Of Squirrel

3-Hunt W/O Resident Big Game Lic.

2-Possession Of Gun While Bow Hunting

4-Hunt Or Take Deer Or Bear Illegal Hours

3-Not Abiding By Rules And Regs. On WMA

1-Operating Vehicle While Intoxicated

5-Littering

1-Operating ATV On Public Road

1-Reckless Operation Of A Vehicle



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**REGION I CONT'D.**

**CONFISCATIONS:**

1 rifle, 25 black bass, 100 pounds of channel catfish, 3 bream, 22 squirrels.

**REGION 2**

**TOTAL CASES-52**

**ENFORCEMENT-52**

**OTHER - 0**

3-Boating

3-Angling W/O A License

6-Fish W/O Resident Pole Lic.

1-Take Illegal Size Black Bass

8-Hunting W/O Resident Lic.

1-Bow Hunt W/O Bow Lic.

4-Hunting From Moving Vehicle And/Or Aircraft

5-Hunting W/Unplugged Gun Or Silencer

1-Use Live Ammo While Training Dogs C/S

4-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way

1-Poss. Of Buckshot During Closed Deer Season

2-Hunt W/O Resident Big Game Lic.

1-Hunt Or Take Deer Or Bear Closed Season

1-Hunt Or Take Deer Or Bear Illegal Hours

2-Not Abiding By Rules And Regulations On WMA

1-Littering

5-Other Than Wildlife And Fisheries

3-Operate ATV Vehicle On Public Road

**CONFISCATIONS:**

1 deer, 1 gun.

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**REGION 3**

**TOTAL CASES-93**

**ENFORCEMENT-75**

**OTHER -18**

15-Boating

10-Angling W/O A License

4-Fish W/O Resident Pole Lic.

5-Take Illegal Size Black Bass

9-Hunting W/O Resident Lic.

3-Hunting W/O Non-Resident Lic.

1-Bow Hunt W/O Bow License

5-Hunting W/Unplugged Gun Or Silencer

2-Poss. Of Buckshot During Closed Deer Season

2-Hunt W/O Resident Big Game Lic.

1-Hunt Deer Illegal Means During Bow Season

1-Hunt Or Take Deer Or Bear W/Illegal Weapon

5-Possession Of Illegally Taken Deer Or Bear

2-Take/Possess Spotted Fawn

3-Possess Illegal Turkey

1-Hunt Turkey Closed Season

2-Possession Of Turkey Closed Season

2-Take Over Limit Of Turkey

1-Take Over Limit Of Raccoons Or Opossums

1-Trapping Closed Season

2-Possess Untagged MGB

2-Transport Completely Dressed MGB

2-Field Possession Of Freshly Killed MGB Closed Season

**REGION 3 CONT'D.**

1-Taking Herons-No Season

1-Not Abiding By Rules And Regulations On WMA

1-Criminal Trespass

2-Littering

1-Other Than Wildlife And Fisheries

6-Operate ATV Vehicle On Public Road

**CONFISCATIONS:**

1 great blue heron, 2 wood ducks, 1 raccoon, 3 turkeys, 2 spotted fawn, 1 live deer, 9 squirrels, 2 bass, 1 live trap, 1 .20 gauge shotgun.

**REGION 4**

**TOTAL CASES-59**

**ENFORCEMENT-37**

**OTHER -22**

7-Boating

6-Angling W/O a License

2-Fish W/O Resident Pole Lic.

2-Take Game Fish Illegally

7-Use Illegal Length/Mesh Nets-Freshwater

8-Hunting W/O Resident Lic.

2-Hunting From Moving Vehicle And/Or Aircraft

2-Hunting W/Unplugged Gun Or Silencer

2-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

1-Hunt W/O Resident Big Game Lic.

1-Hunt Or Take Deer Or Bear W/Illegal Weapon

2-Possession Of Illegally Taken Deer Or Bear

15-Not Abiding By Rules And Regulations On WMA

**REGION 4 CONT'D.**

1-Other Than Wildlife And Fisheries

1-Driving Without Operators License

**CONFISCATIONS:**

2 deer, 106 white perch, 2 bass, 1 rabbit, 6 guns, 50 yards of 2 1/4 inch webbing, 50 yards of 2 inch webbing,  
3 gallons corn.

**REGION 5**

**TOTAL CASES-214**

**ENFORCEMENT-202**

**OTHER - 12**

59-Boating

21-Angling W/O A License

1-Angling W/O Saltwater Lic.

2-Not Abiding By Rules And Regulations Of Commission

2-Take Game Fish Illegally

1-Taking/Poss. Over Limit Of Undersized Freshwater Gamefish

3-Take Or Poss. Undersized Red Drum

3-Take Or Poss. Undersized Black Drum

1-Fail To Have Commercial License In Poss.

4-Take Or Sell Commercial Fish Or Bait Species W/O Commercial License

2-Take Commercial Fish W/O Commercial Gear Lic.

5-Take Or Poss. Commercial Fish W/O Vessel Lic.

5-Take Or Poss. Undersize Commercial Fish

2-Blocking Passage Of Fish

15-Take Or Possess Undersize White Shrimp

1-Take Shrimp Illegal Gear

9-Take Undersize Oysters From Natural Reef

**REGION 5 CONT'D.**

**6-Hunting W/O Non-Resident License**

**1-Hunting From Moving Vehicle And/Or Aircraft**

**6-Hunting W/Unplugged Gun Or Silencer**

**1-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way**

**2-Possession Of Wild Quadrupeds Or Wild Birds W/O Permit**

**1-Hunt MGB W/O State Stamp**

**2-Poss. Of Buckshot During Closed Deer Season**

**1-Take And/Or Possess O/L Of Squirrel**

**1-Hunt W/O Non-Resident Big Game Lic.**

**1-Hunt Or Take Deer Or Bear Illegal Hours**

**4-Possession Of Illegally Taken Deer Or Bear**

**3-Field Poss. Of Deer Meat W/O Tag**

**1-Fail to Maintain Sex Identification**

**1-Take Non-Game Quadrupeds C/S**

**1-Hunting Ducks Or Geese W/O Federal Stamp**

**2-Hunting MGB With Unplugged Gun**

**1-Field Possession Of Freshly Killed MGB Closed Season**

**1-Using Lead Shot In Area Designated As Steel Shot Only**

**1-Transport Illegally Taken MGB**

**2-Possess Over Limit Of Doves**

**1-Hunting Ducks Closed Season**

**13-Not Abiding By Rules And Regs On WMA**

**2-Resisting An Officer**

**2-Illegal Possession Of Drugs Or Marijuana**

**2-Littering**

**REGION 5 CONT'D.**

6-Other Than Wildlife And Fisheries

5-Possess/Take Undersize Federal Controlled Fish

6-Possess/Take Over Limit Federal Controlled Fish

1-Lacy Act

1-License Fraud

**CONFISCATIONS:**

7 undersize red fish, 7,990 lbs. shrimp sold for \$2098.76, 37 squirrels, 1 1/2 deer, 1-16 foot trawl, 11 black bass, 1 stripped bass, 3 commercial licenses, 214 red snapper, 79 doves, 1 mink, 8 woodducks, 54 sacks of oysters, 1 truck, 1 rifle.

**REGION 6**

**TOTAL CASES-101**

**ENFORCEMENT-90**

**OTHER -11**

26-Boating

15-Angling W/O A License

5-Fish W/O Resident Pole Lic.

2-Use Gear W/O Recreational Gear Lic.

2-Take Game Fish Illegally

6-Taking/Poss. Over Limit Or Undersized Freshwater Gamefish

4-Take Or Poss. Undersized Red Drum

4-Take Or Poss. Undersized Black Drum

1-Fail To Have Commercial Lic. In Possession

1-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License

1-Use Illegal Length/Mesh Nets-Freshwater

3-Take Or Possess Undersize White Shrimp

9-Hunting W/O Resident Lic.

**REGION 6 CONT'D.**

1-Bow Hunt W/O Bow Lic.

2-Hunting From Moving Vehicle And/Or Aircraft

2-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

2-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way

3-Take And/Or Possess O/L Of Squirrel

1-Possess Squirrel Closed Season

1-Hunt W/O Resident Big Game Lic.

1-Possession Of Pods While Bow Hunting

3-Hunt/Trap On DMAP Lands W/O Permit From Owner/Lessee

4-Not Abiding By Rules And Regs On WMA

2-Other Than Wildlife And Fisheries

**CONFISCATIONS:**

100 black bass, 44 squirrels, 4 white bass, 1 spoonbill catfish, 5 bream, 10 sac-a-lait, 234 lbs. of shrimp which sold for \$175.50, 215 yards of gill net, 6 red drum, 1 gun.

**REGION 7**

**TOTAL CASES-161**

**ENFORCEMENT-154**

**OTHER - 7**

19-Boating

42-Angling W/O A License

11-Fish W/O Resident Pole Lic.

2-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's Lic.

1-Failure To Hold Oyster Tags For Sixty (60) Days

2-Possession Of Untagged Oysters

27-Hunting W/O Resident Lic.

2-Hunting W/O Non-Resident Lic.

**REGION 7 CONT'D.**

**5-Bow Hunt W/O Bow Lic.**

**1-Failure To Abide By Commission Rules**

**4-Hunting From Moving Vehicle And/Or Aircraft**

**13-Hunting W/Unplugged Gun Or Silencer**

**2-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours**

**1-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way**

**2-Poss. Of Buckshot During Closed Deer Season**

**6-Hunt W/O Resident Big Game Lic.**

**1-Possession Of Gun While Bow Hunting**

**2-Possession Of Pods While Bow Hunting**

**4-Hunt Or Take Deer Or Bear Illegal Hours**

**1-Hunt Or Take Deer From Public Road**

**1-Possession Of Illegally Taken Deer Or Bear**

**3-Hunting MGB Illegal Hours**

**1-Taking Killdeer-No Season**

**2-Taking Or Possession Of Other Non-Game Birds-No Season**

**3-Criminal Trespass**

**2-Littering**

**1-Other Than Wildlife And Fisheries**

**CONFISCATIONS:**

**5 guns.**



**REGION 8**

**TOTAL CASES-446**

**ENFORCEMENT-402**

**OTHER - 44**

**28-Boating**

**87-Angling W/O A License**

**11-Use Gear W/O Recreational Gear Lic.**

**13-Angling W/O Saltwater Lic.**

**3-Take Game Fish Illegally**

**4-Taking/Poss. Over Limit Or Undersized Freshwater Gamefish**

**28-Poss. O/L Of Red Drum**

**72-Take Or Poss. Undersized Red Drum**

**18-Take Or Poss. Undersized Spotted Sea Trout**

**26-Take Or Poss. Undersized Black Drum**

**6-Poss. O/L Spotted Sea Trout**

**2-Fail To Have Commercial Lic. In Poss.**

**7-Take Or Sell Commercial Fish Or Bait Species**

**4-Take Commercial Fish W/O Commercial Gear Lic.**

**4-Take Or Poss. Commercial Fish W/O Vessel Lic.**

**6-Transport W/O Required Lic.**

**1-Buy Commercial Fish From Un-Lic. Fisherman**

**1-Blocking Passage Of Fish**

**1-Destroy Legal Crab Traps Or Removing Contents**

**1-Allow Another To Use Commercial License**

**1-Permit Unlicensed Person To Operate Commercial Vessel**

**1-Permit Unlicensed Person To Use Commercial Gear**

**4-Take/Possess Oysters W/O Oyster Harvester License**

**REGION 8 CONT'D.**

**1-Failure To Mark/Tag Nets**

**12-Trawling Inside Waters W/Oversized Double Rigs**

**2-Use Oversize Trawl, Trawl Board**

**7-Take Or Possess Undersize White Shrimp**

**1-Use Oversize Butterfly Nets Or Skimmer**

**2-Failure To Have Written Permission**

**3-Unlawfully Take Oysters From State Water Bottoms**

**22-Take Undersize Oysters From Natural Reef**

**1-Failure To Display Proper Number On Vessel**

**4-Harvest Oysters W/O Oyster Harvester License**

**7- Trawling In Closed Area/Lake Ponchartrain**

**3-Hunt Squirrel Closed Season**

**2-Hunting W/O Resident Lic.**

**2-Possess Wild Birds Or Wild Quadrupeds W/O A Lic.**

**6-Failure To Abide By Commission Rules**

**3-Hunting From Moving Vehicle And/Or Aircraft**

**1-Hunting W/Unplugged Gun Or Silencer**

**5-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours**

**2-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way**

**2-Hunt Or Discharge Firearm From Levee Road**

**2-Hunt MGB W/O State Stamp**

**1-Driving On Levees**

**1-Illegal Poss. Of Alligators, Eggs, Or Their Skins**

**1-Possession Of Live Alligators W/O Permit**

**2-Hunting Ducks Or Geese W/O Federal Stamp**

**REGION 8 CONT'D.**

2-Field Possession Of Freshly Killed MGB Closed Season

2-Transport Illegally Taken MGB

2-Hunting Ducks Closed Season

7-Not Abiding By Rules And Regulations On WMA

1-Criminal Trespass

1-Littering

5-Other Than Wildlife And Fisheries

1-Refuse/Misrepresent Booking Info

**CONFISCATIONS:**

1 boat, 4 commercial licenses, 1 vessel license, 20 gill nets total of 7,620 feet, 17 trawls, 3 guns, 715 sacks of oysters, 142 alligator hatchlings, 100 lbs. of crabs, 500 red drum, 510 speckled trout, 1 gaspergou, 129 black drum, 5 gar fish, 2 sheephead, 6 stripped bass, 2 catfish, 801 lbs. of shrimp donated, 2 rabbits, 12 ducks, 379 alligator hides.

**REGION 9**

**TOTAL CASES-278**

**ENFORCEMENT-262**

**OTHER - 16**

35-Boating

36-Angling W/O A License

7-Fish W/O Resident Pole License

1-Use Gear W/O Recreational Gear Lic.

26-Angling W/O Saltwater Lic.

1-Take Game Fish Illegally

4-Taking/Poss. Over Limit Or Undersized Freshwater Gamefish

7-Poss. O/L Of Red Drum

3-Poss. O/L Of Red Drum In Excess Of 27"

**REGION 9 CONT'D.**

- 35-Take Or Poss. Undersized Red Drum**
- 8-Take Or Poss. Undersized Spotted Sea Trout**
- 11-Take Or Poss. Undersized Black Drum**
- 2-Not Abiding By Commission Rules Finfish**
- 1-Fail To Have Commercial Lic. In Poss.**
- 4-Take Or Sell Commercial Fish Or Bait Species W/O Commercial License**
- 3-Take Commercial Fish W/O Comm. Gear Lic.**
- 5-Take Or Poss. Commercial Fish W/O Vessel Lic.**
- 3-Fail To Maintain Records**
- 10-Take Or Possess Undersize Commercial Fish**
- 1-Use Illegal Length/Mesh Nets-Freshwater**
- 3-Possess Or Sell Undersized Crabs**
- 2-Trawling Inside Waters W/Oversized Double Rigs**
- 21-Take Or Possess Undersize White Shrimp**
- 2-Unlawfully Take Oysters From State Water Bottoms**
- 2-Failure To Fill Out Oyster Tags Correctly**
- 2-Possession Of Untagged Oysters**
- 2-Harvest Oysters W/O Oyster Harvester License**
- 3-Fail To Post Oyster Lease During Harvest**
- 3-Hunting W/O Resident Lic.**
- 2-Hunting W/O Non-Resident Lic.**
- 3-Hunting From Moving Vehicle And/Or Aircraft**
- 1-Hunting W/Unplugged Gun Or Silencer**
- 4-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours**
- 2-Possess Firearms While Frogging**

**REGION 9 CONT'D.**

- 1-Fail To Obey Cease Harassment Order
- 4-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way
- 1-Fail To Maintain Required Records Of All Alligator Transactions
- 1-Illegal Poss. Of Alligators, Eggs, Or Their Skins
- 1-Fail To Comply W/Alligator Parts Records Requirements
- 6-Not Abiding By Rules And Regulations On WMA
- 2-Hunting Ducks Closed Season
- 1-Illegal Spotlighting From Public Road
- 2-Littering
- 3-No Refrigeration Of Oysters
- 1-Driving Under Suspension

**CONFISCATIONS:**

19,612 lbs. of shrimp sold for \$11,793.65, 350 lbs., 1,777 lbs of shrimp donated, 7,739 catfish donated, 15 crates of crabs, 74 sacks of oysters, 1 alligator hide, 29 bass, 15 sea trout, 125 red drum, 31 black drum, 1 wholesale/retail license, 6 boats, 4 trawls, 11 gray snapper, 1 male woodduck, 2 weapons, 2 fishing licenses, 2 outboard motors, 4 butterfly nets.

**OYSTER STRIKE FORCE**

**TOTAL CASES-75**

**4-Boating**

**24-Take Undersize Oysters From Natural Reef**

**2-Have No Written Permission**

**7-Take Oysters From Private Lease**

**2-Possession Of Untagged Oysters**

**2-Fail To Post Lease Before Harvesting Oysters**

**1-Fail To Fill Out Oyster Tags Correctly**

**1-Fail To Hold Oyster Tags For 60 days**

**2-Fail To Maintain Records**

**2-Take Oysters From Unleased State Water Bottoms**

**5-Have No Oyster Harvester License**

**6-Violation Of Sanitary Code No Tarp**

**1-Have No Commercial License**

**1-Have No Vessel License**

**1-Have No Gear License**

**2-Take Undersize White Shrimp**

**2-Angle Without A License**

**2-Take And Possess Undersize Sea Trout**

**2-Take And Possess Undersize Red Drum**

**1-Possess Outboard Without Serial Number**

**1-Littering**

**3-Lacy Act**

**1-Driving Under Suspension**

Page (16)

**OYSTER STRIKE FORCE CONT'D.**

**CONFISCATIONS:**

**959 Sacks of oysters, 10 gallons of oysters, 2 boats, 3 dredges.**

Page (17)

**S.W.E.P.**

**RIP TIDE AND DELTA TIDE**

**194 ENGINE HOURS**

**218 BOATS CHECKED**

**TOTAL CASES: 31**

11-Use Double Rig Over 25 feet Inside Waters

4-Take Commercial Fish/No Commercial License

2-Allow Another To Use Commercial Fishing License

2-Permit Unlicensed Person To Operate Commercial Vessel

2-Permit Unlicensed Person To Use Commercial Gear License

1-No Vessel License In Possession

1-No Gear License In Possession

1-Fail To Have Commercial License In Possession

7-Trawling In Lake Ponchartrain Sanctuary

**CONFISCATIONS:**

19 trawls, 6,396 lbs. of shrimp which sold for \$11,615.80.



Page (18)

**TOTAL CASES ENFORCEMENT-1373**

**TOTAL CASES OTHER DIV. - 138**

**TOTAL CASES OSF - 75**

**TOTAL CASES SWEP - 31**

**GRAND TOTAL -1617**

October 31, 1991

NEWS RELEASE

Approved \_\_\_\_\_

AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be held at 10:00 A.M. on Friday, November 8, 1991, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, Louisiana. *Betty Pann*

The following will be on the agenda:

1. Approval of Minutes of October 8, 1991 ✓
2. Ratification of the Rule on Black Bass Regulations ✓
3. Ratification of the Rule on Toledo Bend Reciprocal Agreement ✓
4. Notice of Intent on Amendment to Lake Bruin, Special Recurring Commercial Fishing Season ✓
5. Notice of Intent on Lake Providence, Closed Season on Gill Nets and Trammel Nets ✓
6. Notice of Intent on Amendment to Fish and Wildlife Values ✓
7. Notice of Intent on Harvest of Mayhaws on Wildlife Management Areas ✓
8. Emergency Declaration/Credit Card System ✓
- 8.9 Notice of Intent to Amend By-Laws ✓
10. Review of Alligator Tagging System ✓
11. Announcement of 1991 Louisiana Duck Stamp Winner ✓
12. Black Bear Committee Report ✓
13. Habitat Conservation Area Discussion ✓
14. Update on Civil Penalties Restitution Program ✓
15. Monthly Law Enforcement Report ✓
16. Acting Secretary's Report to the Commission ✓
17. Set February Commission Date ✓
18. Election of Chairman and Vice Chairman ✓
19. Public Comment

*Johnnie*

# State of Louisiana



A. Kell McInnis III  
Acting Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Buddy Roemer  
Governor

October 8, 1991

## MEMORANDUM

TO: Undersecretary, Assistant Secretary-Office of Wildlife,  
and Assistant Secretary-Office of Fisheries

FROM: A. Kell McInnis III, Acting Secretary *AKM*

RE: Commission Meeting Agenda - November 8, 1991

Please write on the bottom of this memo and return to Sharyn Bateman by Friday, October 18th, any agenda items your office may have for the Friday, November 8, 1991, Commission meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries Building, Quail Drive. This meeting will begin at 10 a.m. on November 8th. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

*Habitat Conservation Area discussion*

*Attendees: J.W. Tarnan*

AKM/sb

C: Don Puckett  
Bob Dennie  
Winton Vidrine

*G. Foster*  
*N. McInnis*  
*B. Vermilion*  
*L. Smith*  
*B. Watson*

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LA DEPARTMENT OF  
WILDLIFE & FISHERIES

OCT 09 91

HABITAT  
CONSERVATION

*Butch*

# State of Louisiana



A. Kell McInnis III  
Acting Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Buddy Roemer  
Governor

October 8, 1991

## MEMORANDUM

TO: Undersecretary, Assistant Secretary-Office of Wildlife,  
and Assistant Secretary-Office of Fisheries

FROM: A. Kell McInnis III, Acting Secretary *AKM*

RE: Commission Meeting Agenda - November 8, 1991

Please write on the bottom of this memo and return to Sharyn Bateman by Friday, October 18th, any agenda items your office may have for the Friday, November 8, 1991, Commission meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries Building, Quail Drive. This meeting will begin at 10 a.m. on November 8th. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

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Thank you for your cooperation!

AKM/sb

C: Don Puckett  
Bob Dennie  
Winton Vidrine

*Berry Regulations*  
*1- Notice of Intent - mayhaw / Dave Morrison*  
*2- Announce 1991 La. Duck Stamp Winner*  
*DAVE Morrison*

LA. WILDLIFE & FISHERIES  
RECEIVED  
GAME DIVISION

91 OCT 8 P 4: 11



A. Kell McInnis, III  
Acting Secretary

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

October 25, 1991

MEMORANDUM

TO: Chairman and Members of Commission *AKM*  
FROM: A. Kell McInnis III, Acting Secretary  
RE: November Board Meeting Agenda

The next regular public board meeting as set by the Commission will be held at 10:00 AM on Friday, November 8, 1991, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, Louisiana.

The following items will be on the agenda:

1. Approval of Minutes of October 8, 1991

JIMMY JENKINS

- (2) Notice of Intent to Amend By-Laws

NORMAN MCCALL

3. Review of Alligator Tagging System

DR. ROBERT CHABRECK

- (4) Notice of Intent on Harvest of Mayhaws on Wildlife Management Areas
5. Announcement 1991 Louisiana Duck Stamp Winner
6. Habitat Conservation Area Discussion

DR. JERRY CLARK

- ⑦ Ratification of the Rule on Black Bass Regulations
- ⑧ Ratification of the Rule on Toledo Bend Reciprocal Agreement
- ⑨ Notice of Intent on Amendment to Lake Bruin, Special Recurring Commercial Fishing Season
- ⑩ Notice of Intent on Lake Providence, Closed Season on ~~Values~~ *Grass & Turf Mts*
- ⑪ Notice of Intent on Amendment to Fish and Wildlife Values

COLONEL WINTON VIDRINE

12. Monthly Law Enforcement Report

A. KELL MCINNIS III

13. Acting Secretary's Report to the Commission
14. Set February Commission Date
15. Election of Chairman and Vice-chairman

PUBLIC COMMENTS

AKM/pc

cc: Bettsie Baker  
Robert Chabreck  
Jerry Clark  
Don Puckett  
John Medica  
Division Chiefs

*Check numbers  
release & fully handled*

*update on Gov / Restoration  
Program  
Bettsie*

*Decline of Emergency - Crudest Card*

*Card penalty - parking*

*Black Bear Attacker report*

*Minerals sub committee before meeting PAM Jeff  
Warren*

# CAPITAL OUTLAY PROJECT REQUESTS

FISCAL YEAR 1992-93

<u>PRIORITY NO.</u>	<u>AMOUNT</u>	<u>FUND</u>	<u>DESCRIPTION</u>
	1,941,000	Bonds	Land acquisition - habitat
	700,000	WHNHT	conservation areas
	30,000	WHNHT	Habitat conservation area
			nature trails
	100,000	Bonds	Lacombe Fish hatchery
			water distr. system
	2,091,000	Bonds	Black Bayou land purchase
	2,000,000	Bonds	Spanish Lake interior wave-
			wash breakwater levee
	40,000	Federal	Baker hunt/ed classroom
	100,000	Cons.	Bourg ofc roof, addition
	675,000	G.F.	Road repairs at WMA's
	1,500 000	G.F.	Land acquisitions
	12,500,000	Bonds	
	400,000	Duck St.	
	750,000	WHNHT	



Minerals Committee Meeting to  
consider <sup>information regarding</sup> ~~amending~~ The  
~~proposed~~ amending  
seismic fee schedule for  
airgun use in ~~sub~~ water bottoms.  
Waterbottom 6

9AM  
FOURTH FLOOR - CONF ROOM

# State of Louisiana



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OCT 9

INFORMATION &  
EDUCATION DIV.

A. Kell McInnis III  
Acting Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Buddy Roemer  
Governor

October 8, 1991

## MEMORANDUM

TO: Undersecretary, Assistant Secretary-Office of Wildlife,  
and Assistant Secretary-Office of Fisheries

FROM: A. Kell McInnis III, Acting Secretary *AKM*

RE: Commission Meeting Agenda - November 8, 1991

Please write on the bottom of this memo and return to Sharyn Bateman by Friday, October 18th, any agenda items your office may have for the Friday, November 8, 1991, Commission meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries Building, Quail Drive. This meeting will begin at 10 a.m. on November 8th. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

AKM/sb

C: Don Puckett  
Bob Dennie  
Winton Vidrine

*I + E has nothing*

# State of Louisiana



A. Kell McInnis III  
Acting Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Buddy Roemer  
Governor

October 8, 1991

## MEMORANDUM

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AKM/sb

C: Don Puckett  
Bob Dennie  
Winton Vidrine

### INLAND FISHERIES DIVISION

- 1) Notice of Intent: Lake Bruin - Amendments to Special Recurring Commercial Fishing Season.
- 2) Notice of Intent: Lake Providence - Closed Season on Gill and Trammel Nets.
- 3) Ratification of Rule on Black Bass Regulations.
- 4) Ratification of Rule on Toledo Bend Reciprocal Agreement.

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LA. DEPARTMENT OF  
WILDLIFE & FISHERIES

OCT - 8 1991

ASSISTANT SECRETARY  
OFFICE OF FISHERIES

State of Louisiana



A. Kell McInnis III  
Acting Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

October 8, 1991

Copy to: Bennie F.  
John R.  
Karen F.

→ return suggested agenda  
items to me by Oct. 16th

JC 10/9

Buddy Roemer  
Governor

M E M O R A N D U M

TO: Undersecretary, Assistant Secretary-Office of Wildlife,  
and Assistant Secretary-Office of Fisheries

FROM: A. Kell McInnis III, Acting Secretary *AKM*

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Thank you for your cooperation!

AKM/sb

C: Don Puckett  
Bob Dennie  
Winton Vidrine

10-15-91

Jerry -

- Fish values (who is working on others  
so there can be one notice of  
intent?)

- Texaco may want to present fee  
request - Bettie might know.

(Farhad and I will  
attend)

*Karen*

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LA. DEPARTMENT OF  
WILDLIFE & FISHERIES

OCT - 8 1991

ASSISTANT SECRETARY  
OFFICE OF FISHERIES

State of Louisiana



A. Kell McInnis III  
Acting Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

October 8, 1991

Copy to: Bennie F.  
John R.  
Karen F.

return suggested agenda  
items to me by Oct. 16th

JC 10/9

Buddy Roemer  
Governor

MEMORANDUM

TO: Undersecretary, Assistant Secretary-Office of Wildlife,  
and Assistant Secretary-Office of Fisheries

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Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

*No Agenda items from the  
Marine Fisheries Dir.*

AKM/sb

C: Don Puckett  
Bob Dennie  
Winton Vidrine

*(JF) Roemer*

*Warren*

# State of Louisiana



A Kell McInnis III  
Acting Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge LA 70898-9000  
(504) 765 2800

Buddy Roemer  
Governor

October 8 1991

## MEMORANDUM

TO Undersecretary Assistant Secretary-Office of Wildlife  
and Assistant Secretary-Office of Fisheries

FROM A Kell McInnis III Acting Secretary *AKM*

RE Commission Meeting Agenda - November 8 1991

Please write on the bottom of this memo and return to Sharyn Bateman by Friday, October 18th any agenda items your office may have for the Friday November 8 1991 Commission meeting to be held in Baton Rouge Louisiana at the Wildlife and Fisheries Building Quail Drive This meeting will begin at 10 a m on November 8th If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal

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Thank you for your cooperation!

AKM/sb

C Don Puckett  
Bob Dennie  
Winton Vidrine

OCT 18 01

*I have been requested by a Group of People to  
Put an item on the Agenda -  
Discussion of the Oyster Industry in General*

# State of Louisiana



A. Kell McInnis III  
Acting Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Buddy Roemer  
Governor

October 8, 1991

## MEMORANDUM

TO: Undersecretary, Assistant Secretary-Office of Wildlife,  
and Assistant Secretary-Office of Fisheries

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AKM/sb

C: Don Puckett  
Bob Dennie  
Winton Vidrine

*No agenda items for Furch Refuge.  
Tommy Puckett & James Manning will be  
attending the meeting.*

# State of Louisiana



A. Kell McInnis III  
Acting Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Buddy Roemer  
Governor

October 8, 1991

## MEMORANDUM

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Thank you for your cooperation!

AKM/sb

C: Don Puckett  
Bob Dennie  
✓ Winton Vidrine

*Enforcement Case Report!*  
*W. Vidrine*



# Louisiana Department of Wildlife and Fisheries

## NEWS RELEASE

A. Kell McInnis III  
Acting Secretary



CONTACT  
(504) 765-2923

91-152

10/29/91

### AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Louisiana Wildlife and Fisheries Commission will be held at 10 a.m. Friday, Nov. 8, in the Louisiana Room of the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge.

Prior to the Commission meeting, there will be a Minerals Committee meeting at 9 a.m. in the fourth-floor conference room to consider information regarding seismic fee schedule for air gun use in waterbottoms.

The following will be on the agenda:

1. Approval of minutes of Oct. 8.
2. Ratification of the rule on black bass regulations.
3. Ratification of the rule on Toledo Bend Reciprocal Agreement.
4. Notice of Intent on amendment to Lake Bruin special recurring commercial fishing season.
5. Notice of Intent on Lake Providence closed season on gill nets and trammel nets.
6. Notice of Intent on amendment to fish and wildlife values.
7. Notice of Intent on mayhaw berry regulations on Wildlife Management Areas.
8. Declarations of Emergency on commercial fishermen's sales report form; commercial fishermen's sales card, dealer receipt form; and records' confidentiality.
9. Notice of Intent to amend by-laws.
10. Review of alligator tagging system.
11. Announcement of 1991 Louisiana Duck Stamp winner.
12. Black Bear Committee report.
13. Habitat Conservation Area discussion.
14. Update on civil penalties restitution program.
15. Monthly law enforcement report.
16. Acting Secretary's report to the Commission.
17. Set February meeting date.
18. Election of chairman and vice chairman.
19. Public comment.



A. Kell McInnis, III  
Acting Secretary

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

October 25, 1991

M E M O R A N D U M

TO: Chairman and Members of Commission AKM  
FROM: A. Kell McInnis III, Acting Secretary  
RE: November Board Meeting Agenda

The next regular public board meeting as set by the Commission will be held at 10:00 AM on Friday, November 8, 1991, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, Louisiana.

The following items will be on the agenda:

1. Approval of Minutes of October 8, 1991

JIMMY JENKINS

2. Notice of Intent to Amend By-Laws

NORMAN MCCALL

3. Review of Alligator Tagging System

DR. ROBERT CHABRECK

4. Notice of Intent on Harvest of Mayhaws on Wildlife Management Areas
5. Announcement 1991 Louisiana Duck Stamp Winner
6. Habitat Conservation Area Discussion

DR. JERRY CLARK

7. Ratification of the Rule on Black Bass Regulations
8. Ratification of the Rule on Toledo Bend Reciprocal Agreement
9. Notice of Intent on Amendment to Lake Bruin, Special Recurring Commercial Fishing Season
10. Notice of Intent on Lake Providence, Closed Season on Gill Nets and Trammel Nets
11. Notice of Intent on Amendment to Fish and Wildlife Values

COLONEL WINTON VIDRINE

12. Monthly Law Enforcement Report

A. KELL MCINNIS

13. Acting Secretary's Report to the Commission.
14. Set February Commission Date
15. Election of Chairman and Vice Chairman of LWF Commission

PUBLIC COMMENTS

AKM:sb

C: Bettsie Baker  
Robert Chabreck  
Jerry Clark  
Don Puckett  
John Medica  
Division Chiefs



A. Kell McInnis, III  
Acting Secretary

DEPARTMENT OF WILDLIFE AND FISHERIES  
POST OFFICE BOX 98000  
BATON ROUGE, LA. 70898  
PHONE (504) 765-2800

BUDDY ROEMER  
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October 25, 1991

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8. Ratification of the Rule on Toledo Bend Reciprocal Agreement
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10. Notice of Intent on Lake Providence, Closed Season on Values *Change*
11. Notice of Intent on Amendment to Fish and Wildlife Values

COLONEL WINTON VIDRINE

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A. KELL MCINNIS III

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14. Set February Commission Date
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PUBLIC COMMENTS

AKM/pc

cc: Bettsie Baker  
Robert Chabreck  
Jerry Clark  
Don Puckett  
John Medica  
Division Chiefs

RULE

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 1. Freshwater Sport and Commercial Fishing

Section 149. Black Bass Regulations - Daily Take and Size Limits

The Louisiana Wildlife and Fisheries Commission hereby establishes a statewide daily take (creel limit) of 10 fish for black bass (Micropterus spp.). The possession limit shall be the same as the daily take on water and twice the daily take off water.

In addition, the Commission establishes special size and daily take regulations for black bass on the following waterbodies:

Concordia Lake (Concordia Parish) and False River (Pointe Coupee' Parish):

Size Limit: 15 inch - 19 inch slot

Daily Take: 8 fish - of which no more than two fish may exceed 19 inches maximum total length.\*

Possession Limit: On Water - Same as daily take  
Off Water - Twice the daily take

A 15 - 19 inch slot limit means that it is illegal to keep or possess a black bass whose maximum total length is between 15 inches and 19 inches, both measurements inclusive.

Lake Bartholomew (Morehouse and Ouachita Parishes), Black Bayou

Lake (Bossier Parish), Caney Creek Lake (Jackson Parish), Chicot Lake (Evangeline Parish), Cross Lake (Caddo Parish), Lake Rodemacher (Rapides Parish) and Vernon Lake (Vernon Parish):

Size Limit: 14 - 17 inch slot

Daily Take: 8 fish - of which no more than 4 fish may exceed 17 inches maximum total length.

Possession Limit: On Water - Same as daily take  
Off Water - Twice the daily take

A 14 - 17 inch slot means that it is illegal to keep or possess a black bass whose maximum total length is between 14 inches and 17 inches, both measurements inclusive.

\* Maximum total length - The distance in a straight line from the tip of the snout to the most posterior point of the depressed caudal fin as measured with mouth closed on a flat surface.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325 (c), 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 14:364 (June 1988), L.R. Amended, L.R. 17:278 (March 1991), Repromulgated L.R. 17:488 (May 1991), Amended L.R. 17: (November 1991).

James H. Jenkins, Jr.  
Chairman

## RULE

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby amends the Joint Louisiana/Texas Toledo Bend and Caddo Lake Sportfishing Reciprocal Agreement that became effective April 1, 1991.

## Title 76

### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 1. Freshwater Sport and Commercial Fishing

#### Section 110. Toledo Bend Reciprocal Agreement

The daily creel limit, (daily take), for black bass (Micropterus spp.) is set at eight fish and the minimum total length is set at 14 inches in Toledo Bend Reservoir and Caddo Lake.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325 (c), 326.3, 673.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission L.R. 14:548 (August 1988), Amended L.R. 17:278 (March 1991), Amended L.R. 17: (November 1991).

James H. Jenkins, Jr.  
Chairman



## NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildllife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend and adopt the rule governing the special recurring commercial fishing season on Lake Bruin.

### Title 76

### Wildlife and Fisheries

### Part VII. Fish and Other Aquatic Life

### Chapter 1. Freshwater Sports and Commercial Fishing

### Section 125. Lake Bruin

The Louisiana Wildlife and Fisheries Commission hereby establishes and permits a special recurring commercial fishing season, allowing the use of certain nets and slat traps, in Lake Bruin, Tensas Parish, Louisiana. The season will commence each year at sunrise on November 1 and close at sunset on the last day of February the following year.

A. Commercial fishing with certain nets and slat traps will be allowed on Lake Bruin only during the above described special season and only by licensed commercial fishermen who must also obtain a Lake Bruin commercial fishing permit from the Louisiana Department of Wildlife and Fisheries. The permit will be issued at no cost on a seasonal basis and must be renewed

for each season. The permittee must also file a report to the Department of Wildlife and Fisheries of his catch that is postmarked not later than 15 days after the close of that season. The use of nets in Lake Bruin will be limited to gill and trammel nets greater than or having at least a minimum mesh of three and one-half inch bar and seven inch stretch.

B. Commercial fishing will be allowed only during daylight hours except that gear can remain set overnight but fish captured may be removed during daylight hours only.

C. Failure to comply with the terms of the special permit or of any Louisiana commercial fishing regulations shall result in immediate cancellation of the permit for the remainder of the current season.

D. Failure to submit a timely report for a particular year's commercial fishing season shall result in the denial of a permit for the next year. If a report is eventually received after the deadline period for a particular year, the applicant may get a permit after skipping a year, however, if no report is ever filed, no permit for any subsequent year will be considered.

E. Applicants with a citation(s) pending for three years or less, which is a Class II fish or game violation(s) or greater shall be denied a permit until such time as the applicant appears before department officials for the purpose of reviewing the citation(s) issued. The secretary, after reviewing the proceedings, may issue or deny the permit.

F. Permits shall not be issued to any applicant who within three years

of the date of this application, has been convicted or plead guilty to a Class II fish or game violation or greater, as defined in the laws pertaining to wildlife and fisheries.

G. Applicants convicted of pleading guilty to two or more Class II fish or game violations or greater within five years of the application date shall not receive a permit.

AUTHORITY NOTE: Promulgated in accordance R.S. 56:317 and 56:22 and R.S. 56:402.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 13:502 (September 1987), Amended Wildlife and Fisheries Commission L.R. 18: ( 1992).

Written comments regarding these amendments may be submitted no later than January 10, 1992 and should be submitted to Bennie Fontenot, Administrator, Inland Fish Division, Box 98000, Baton Rouge, LA 70898-9000.

James H. Jenkins, Jr.  
Chairman

## RULE

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby adopt the amended rule governing the special recurring commercial fishing season on Lake Bruin.

## Title 76

### Wildlife and Fisheries

#### Part VII. Fish and Other Aquatic Life

##### Chapter 1. Freshwater Sports and Commercial Fishing

##### Section 125. Lake Bruin

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for each season. The permittee must also file a report to the Department of Wildlife and Fisheries of his catch that is postmarked not later than 15 days after the close of that season. The use of nets in Lake Bruin will be limited to gill and trammel nets greater than or having at least a minimum mesh of three three and one-half inch bar and seven inch stretch.

B. Commercial fishing will be allowed only during daylight hours except that gear can remain set overnight but fish captured may be removed during daylight hours only.

C. Failure to comply with the terms of the special permit or of any Louisiana commercial fishing regulations shall result in immediate cancellation of the permit for the remainder of the current season.

D. Failure to submit a timely report for a particular year's commercial fishing season shall result in the denial of a permit for the next year. If a report is eventually received after the deadline period for a particular year, the applicant may get a permit after skipping a year, however, if no report is ever filed, no permit for any subsequent year will be considered.

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HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 13:502 (September 1987), Amended Wildlife and Fisheries Commission L.R. 18: ( 1992).

James H. Jenkins, Jr.  
Chairman

## NOTICE OF INTENT

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to promulgate rules governing the harvest and manner by which mayhaws shall be collected on department owned wildlife management areas.

#### Title 56

#### Wildlife and Fisheries

#### Part III State Game and Fish Preserves Sanctuaries

#### Chapter 1. Responsibilities, Duties and Regulation

#### Section 107. Collection of Mayhaw Fruit

All persons gathering mayhaw fruit on wildlife management area (WMA) for commercial or home consumption shall abide by the following rules and regulations:

- 1) Every one must abide by all rules and regulations in effect on the WMA.
- 2) Access routes and vehicle use must conform to rules and regulations established for the respective WMA.
- 3) Damage to mayhaw trees (trunk and branch) and surrounding vegetation is prohibited.
- 4) The use of mechanical harvesters, including shakers, is prohibited.
- 5) Mayhaw harvest is prohibited on wildlife management areas when turkey seasons are in progress.
- 6) Persons may only take five gallons per person per day for home consumption. Collecting in excess of five gallons per person per day is

defined as a commercial activity. Anyone wishing to collect in commercial quantities must obtain a permit from the District Office and notify the department as to where collection will take place.

7) If the department deems that collections of mayhaw is detrimental to a specific area then the department may close that portion to all mayhaw collection.

These rules are being implemented to allow for harvesting of the fruit and still protect the resource for future use.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115 and HB 976 of the 1991 Legislature.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 18: (1992).

Persons interested in commenting on the proposed rules may do so publicly at regularly scheduled Commission meeting December - February. Written comments may be submitted until 4:30 p.m., January 15, 1992 to Hugh Bateman, Administrator, Game Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000

James H. Jenkins, Jr.  
Chairman



# State of Louisiana

AKM



A. Kell McInnis III  
Acting Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898  
(504) 765-2800

Boemer  
TOR

redme

October 24, 1991

## MEMORANDUM

TO: Chairman and Members of Commission  
FROM: A. Kell McInnis III, Acting Secretary  
RE: November Board Meeting Agenda

The next regular public board meeting as set by the Commission will be held at 10:00 A.M. on Friday, November 8, 1991, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, Louisiana.

The following will be on the agenda:

1. Approval of Minutes of October 8, 1991

JIMMY JENKINS

2. Notice of Intent to Amend By-Laws

NORMAN MCCALL

3. Review of Alligator Tagging System

WARREN POL

4. ~~General Discussion of the Oyster Industry~~

DR. ROBERT CHABRECK

5. Notice of Intent on Harvest of Mayhaws on Wildlife Management Areas.
6. Announcement 1991 Louisiana Duck Stamp Winner
7. Habitat Conservation Area Discussion

October 24, 1991  
Page 2

DR. JERRY CLARK

8. Ratification of the Rule on Black Bass Regulations
9. Ratification of the Rule on Toledo Bend Reciprocal Agreement
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11. Notice of Intent on Lake Providence, Closed Season on Gill Nets and Trammel Nets
12. Notice of Intent on Amendment to Fish and Wildlife Values

COLONEL WINTON VIDRINE

13. Monthly Law Enforcement Report

A. KELL MCINNIS

14. Acting Secretary's Report to the Commission.
15. Set February Commission Date
16. Election of Chairman and Vice Chairman of LWF Commission

PUBLIC COMMENTS

AKM:sb

C: Bettsie Baker  
Robert Chabreck  
Jerry Clark  
Don Puckett  
John Medica  
Division Chiefs

October 29, 1991

M E M O R A N D U M

TO: Chairman and Members of Commission  
FROM: A. Kell McInnis III, Acting Secretary  
RE: November Board Meeting Agenda

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The following will be on the agenda:

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3. Review of Alligator Tagging System

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4. General Discussion of the Oyster Industry

DR. ROBERT CHABRECK

5. Notice of Intent on Harvest of Mayhaws on Wildlife Management Areas.

6. Announcement of Winner of Duck Stamp Competition

DR. JERRY CLARK

7. Ratification of the Rule on Black Bass Regulations

*Copy*  
*Chabreck sent/Com*  
*etc.*

*Copy*

8. Ratification of the Rule on Toledo Bend Reciprocal Agreement *com*
9. Notice of Intent on Amendment to Lake Bruin, Special Recurring Commercial Fishing Season *com*
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COLONEL WINTON VIDRINE

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AKM:sb

C: Bettsie Baker  
Robert Chabreck  
Jerry Clark  
Don Puckett  
John Medica

# State of Louisiana



A. Kell McInnis III  
Acting Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Buddy Roemer  
Governor

October 8, 1991

## MEMORANDUM

TO: Undersecretary, Assistant Secretary-Office of Wildlife,  
and Assistant Secretary-Office of Fisheries

FROM: A. Kell McInnis III, Acting Secretary *AKM*

RE: Commission Meeting Agenda - November 8, 1991

Please write on the bottom of this memo and return to Sharyn Bateman by Friday, October 18th, any agenda items your office may have for the Friday, November 8, 1991, Commission meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries Building, Quail Drive. This meeting will begin at 10 a.m. on November 8th. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda.

Thank you for your cooperation!

AKM/sb

C: Don Puckett  
Bob Dennie  
Winton Vidrine

# State of Louisiana



A. Kell McInnis III  
Acting Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898  
(504) 765-2800

Buddy Roemer  
Governor

October 28, 1991

## MEMORANDUM

TO: Chairman and Members of Commission  
FROM: A. Kell McInnis III, Acting Secretary *AKM*  
RE: November Board Meeting Agenda

The next regular public board meeting as set by the Commission will be held at 10:00 A.M. on Friday, November 8, 1991, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, Louisiana. Prior to the Commission meeting there will be a Minerals Committee Meeting to consider information regarding seismic fee schedule for air gun use in waterbottoms at 9:00 A.M. in the 4th floor conference room.

The following will be on the agenda:

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### JIMMY JENKINS

2. Notice of Intent to Amend By-Laws

### NORMAN MCCALL

3. Review of Alligator Tagging System

### DR. ROBERT CHABRECK

4. Notice of Intent on Mayhaw Berry Regulations on Wildlife Management Areas
5. Announcement 1991 Louisiana Duck Stamp Winner
6. Black Bear Committee Report
7. Habitat Conservation Area Discussion

DR. JERRY CLARK

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11. Notice of Intent on Amendment to Fish and Wildlife Values
12. Declarations of Emergency on Commercial Fishermen's Sales Report Form; Commercial Fishermen's Sales Card, Dealer Receipt Form; and Records, Confidentiality

BETTSIE BAKER

13. Update on Civil Penalties Restitution Program

COLONEL WINTON VIDRINE

14. Monthly Law Enforcement Report

A. KELL MCINNIS

15. Acting Secretary's Report to the Commission.
16. Set February Commission Date
17. Election of Chairman and Vice Chairman of LWF Commission

PUBLIC COMMENTS

AKM:sb

C: Bettsie Baker  
Robert Chabreck  
Jerry Clark  
Don Puckett  
John Medica  
Division Chiefs

October 31, 1991

NEWS RELEASE

Approved AKM

AGENDA FOR COMMISSION MEETING

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7. Notice of Intent on Mayhaw Berry Regulations on Wildlife Management Areas
8. Declarations of Emergency on Commercial Fishermen' Sales Report Form; Commercial Fishermen' Sales Card, Dealer Receipt Form; and Records, Confidentiality
9. Notice of Intent to Amend By-Laws
10. Review of Alligator Tagging System
11. Announcement of 1991 Louisiana Duck Stamp Winner
12. Black Bear Committee Report
13. Habitat Conservation Area Discussion
14. Update on Civil Penalties Restitution Program



October 31, 1991  
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Commission Agenda

15. Monthly Law Enforcement Report
16. Acting Secretary's Report to the Commission
17. Set February Commission Date
18. Election of Chairman and Vice Chairman
19. Public Comment